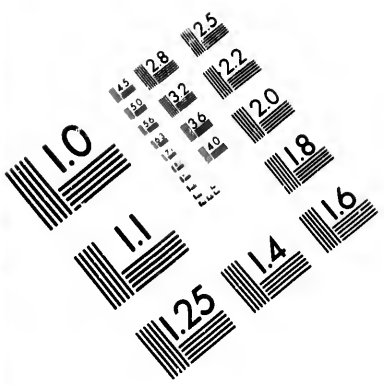


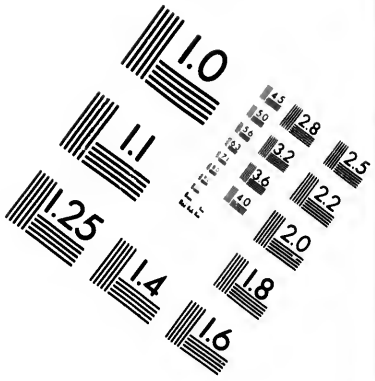
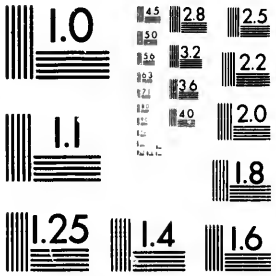
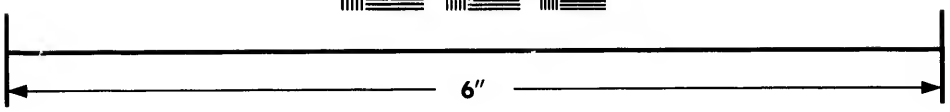
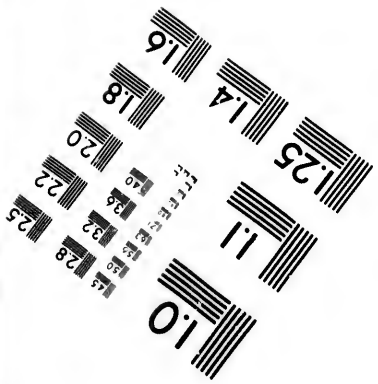
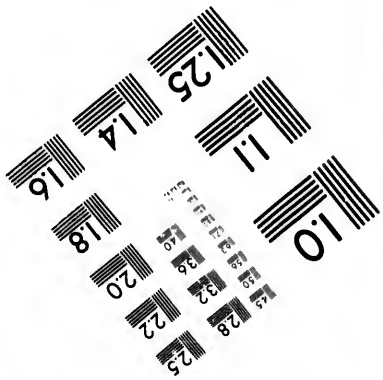


IMAGE EVALUATION TEST TARGET (MT-3)









Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

CIHM/ICMH Microfiche Series.

CIHM/ICMH Collection de microfiches.

Canadian Institute for Historical Microreproductions

Institut canadien de microreproductions historiques

1980

Technical and Bibliographic Notes/Notes techniques et bibliographiques

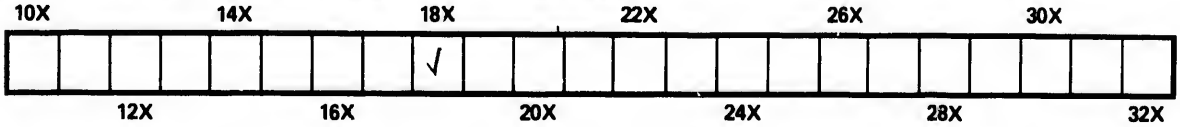
The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming, are checked below.

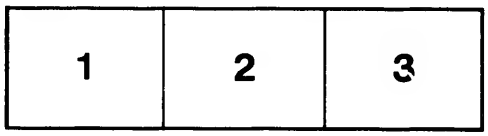
- ☐ Coloured covers/ Couverture de couleur
- ☐ Covers damaged/ Couverture endommagée
- ☐ Covers restored and/or laminated/ Couverture restaurée et/ou pelliculée
- ☐ Cover title missing/ Le titre de couverture manque
- ☐ Coloured maps/ Cartes géographiques en couleur
- ☐ Coloured ink (i.e. other than blue or black)/ Encre de couleur (i.e. autre que bleue ou noire)
- ☐ Coloured plates and/or illustrations/ Planches et/ou illustrations en couleur
- ☐ Bound with other material/ Relié avec d'autres documents
- ☐ Tight binding may cause shadows or distortion along interior margin/ La reliure serrée peut causer de l'ombre ou de la distortion le long de la marge intérieure
- ☐ Blank leaves added during restoration may appear within the text. Whenever possible, these have been omitted from filming/ Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- ☐ Additional comments:/ Commentaires supplémentaires:

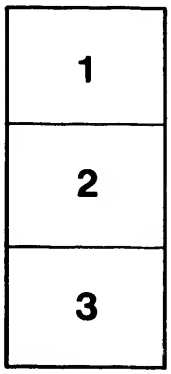
L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

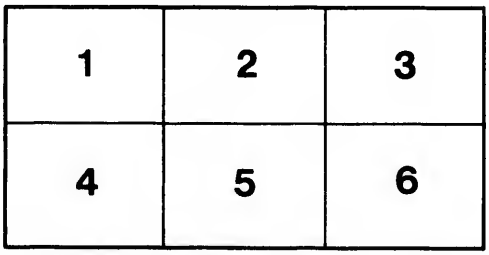
- ☐ Coloured pages/ Pages de couleur
- ☐ Pages damaged/ Pages endommagées
- ☐ Pages restored and/or laminated/ Pages restaurées et/ou pelliculées
- ☑ Pages discoloured, stained or foxed/ Pages décolorées, tachetées ou piquées
- ☐ Pages detached/ Pages détachées
- ☑ Showthrough/ Transparence
- ☐ Quality of print varies/ Qualité inégale de l'impression
- ☐ Includes supplementary material/ Comprend du matériel supplémentaire
- ☐ Only edition available/ Seule édition disponible
- ☐ Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image/ Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below/
Ce document est filmé au taux de réduction indiqué ci-dessous.









A POLITICAL CREED;

Embracing Some Ascertained Truths

IN SOCIOLOGY AND POLITICS.

AN ANSWER

TO

H. GEORGE'S "PROGRESS AND POVERTY."

BY G. MANIGAULT,

Formerly of South Carolina.

NEW YORK:
WYNKOOP & HALLENBECK, PRINTERS,
121 FULTON STREET.

1884.

PREFACE.

Not wishing to make a *book*, I have compressed this into as compact a space as is compatible with a comprehensive treatment of the subject. I have called it an answer to "Progress and Poverty," by Henry George; but it was written before I had seen his book, which I have read but lately. For if one be true, the other must be false. As to that, let the reader decide.

G. M.

A POLITICAL CREED,

EMBRACING

Some Ascertained Truths in Sociology and Politics.

From before the days of Plato and Aristotle down to our own time, many of the most acute minds have been striving to discover, and to explain, the principles on which human society and political organizations are, and ought to be, based. Yet, to this day, in the different schools of politics and social science, the most opposite and incompatible views are maintained by numerous and able advocates. How far, then, is it possible to draw out, from the results of experience and reason, a connected system of principles in these sciences, so well founded and obvious as to command the general assent of right-thinking men?

Setting aside all the authority we might derive from revealed, and, as far as possible, from natural religion, in proof that society and government are not merely of man's device, I will enter on a search after the ascertained and admitted truths in sociology and politics, and endeavor to trace the connection of these truths with, and their dependence on, each other.

I.

In this mysterious and puzzling world in which we find ourselves existing, what means have we of ascertaining the truths which should enlighten and guide us? We find ourselves to be organized beings, endowed not only with certain appetites, instincts, and powers of action; but, also, with the means of observing the phenomena surrounding and pressing upon us; and, moreover, with a capacity and a propensity to draw inferences from these phenomena, when collected and compared with each other. Thence we arrive at conclusions, which we take to be laws regulating the occurrence and effects of these phenomena.

The want of leisure and of experience make this slow work. Yet we gradually acquire some knowledge of the nature of our surroundings. We make frequent mistakes, indeed, which we have to correct by further and more careful observation; and we make some real progress in knowledge.

We discover that, besides the material world that surrounds us, there are intellectual truths which spring from our observation of it, embracing and explaining it; which truths may be brought to bear upon, and, in a measure, direct and control matter.

We, moreover, discover that, while the mass of material objects with which we come in contact are organized beings, the law of that Nature which gave them existence does not endow them with permanence. Yet we see that it provides, by some means, for maintaining and replacing its productions as they pass away, filling up the gaps among its organized beings with a succession of beings similar to those that are passing away. This is one

broad general law of Nature, applying to organized creatures, which we arrive at with a certainty that shuts out all doubt.

Further observation shows us that Nature attains this end by stamping on her organized creatures the relations of sex. All animals and all plants partake of these characteristics in one form or another. In the case of plants these relations are not so simple and obvious. But we soon learn that animals are divided into male and female, in various proportions.

Thus we soon become familiar with another comprehensive law of Nature: that organized life is maintained, not by the permanence of the individuals, but by their reproducing offspring like themselves, and that this reproduction is brought about through the agency of the division of each class of animals, and even of plants, into two sexes, male and female. Thus, we are beginning to master some of the great laws of Nature, by which she regulates the world we live in.

When we turn our attention to our own race we see an explanation of the instinct which usually leads to the mutual choice and companionship of one man and one woman: that is, to life-long, monogamous marriage, and to the many domestic and social proprieties springing from it. Many facts prove that this is the design of Nature.

1. In all countries and ages there is an approach to equality in the number of male and female births. Yet there is always, as far as we know, a small excess of male births over the female. Why is this provided? As men, from their occupations and enterprises, are more exposed than women to be cut off by accidental and violent deaths, especially in boyhood and early manhood, this

slight excess in the birth of males looks very like an express design in Nature to provide for monogamous marriage by equalizing the number of the two sexes. The proportions of the two sexes in human births vary somewhat: from thirteen males to twelve females, to about twenty-five males to twenty-four females. The causes of these varying proportions, we believe, have not been ascertained.

2. Unlike other animals, the offspring of mankind need the care and support of both parents for a long term of years. Thus the natural claim of both wife and children for maintenance, and on the property acquired, is obvious, and points to a life-long marriage, and suggests the obligation of monogamy.

3. The analogy of the instincts of not a few animals, in their unions, proves that monogamous marriage may be strictly according to Nature. Thus, while in the hive of the honey-bee, there are thousands of workers, which are neuters, hundreds of drones, who are males, and only one female, the queen bee, we find, on the other hand, that the *capreolus*, or roe-buck, the pigeon, the goose, the ostrich, and many other animals, are strictly monogamous in their unions.

The more we investigate this point, the more obvious does it become that human society naturally originates in the monogamous marriage, and is based on the family springing from it. Where monogamous marriage is not the foundation of the family and of society, could we look back far enough, we would find out that some peculiar circumstances, some unnatural causes, have disturbed the order of Nature, driving the human race to polygamy or polyandry.

However the human race may have originated, we

know that man does not now come into the world a solitary being. He has at least a known mother; and should he lose her at the time of his birth, his continued existence depends on some one who supplies her place.

Usually we come into life the expected and welcomed member of a family circle. We are born into society. Our relations with kindred beings beginning with our birth, our self-seeking and our social propensities are developed together through the long years of infancy and early youth. Thus the first society known to us is the family circle; the first government, parental control. And we necessarily continue under these influences until we can provide for ourselves; indeed, usually and naturally, until long after that earlier period of life. Moreover, we are ever after under some social influences —unless we become outlaws.

II.

From the most primitive condition of man, to the most advanced stage of civilization yet reached, all the necessaries, conveniences, and comforts of life are the results of the labor and skill of individuals, working singly, or in combination; but the primary object of each one is to reap, individually, the profit of his toil. For, although the world we live in affords to us fields of labor teeming with productions capable of being adapted to useful and beneficial purposes, they are not directly given to us. They are merely placed, more or less, within our reach; not thrust into our hands or our mouths. It is left to us, when prompted by our wants, to help ourselves, by appropriating them. These acts of appropriation require, on our part, more or less of enterprise,

labor, and perseverance; and, moreover, are often attended with exhausting exertions, uncertain success, and even suffering and danger to those who make them. This outlay of labor, skill, and hazard, becoming inextricably incorporated with our acquisitions, originates our proprietary right; that is, our right to exclude from the benefit of our acquisitions, those who have made no such expenditure of their energies on the materials thus brought into our possession or laid up for our use.

Thus, all value and utility, being the result of the labor of individuals, comes into existence in the possession of, and as the property of, individuals. Until there be property, there can be neither robbery nor theft. As soon as property comes into existence, robbery and theft become possible, and must be guarded against. In those cases, where the acquisition is the result of combined labor and united exertions, the undertaking is not complete until each one has assigned to him his share of the result. Thus proprietary right at once furnishes the motive for, and the reward of, our exertions to maintain and to better our condition.

III.

Nature makes similar provision for supplying the wants of animals; not feeding them, or sheltering them, but putting within their reach the means of feeding and sheltering themselves. Moreover, man's earliest education was the observation of the instincts of animals; especially as shown in procuring their food, and securing their safety.

The study of the animal kingdom affords us abundant proofs that property is deeply founded in nature, and that

animals, by instinct, claim proprietary rights which are respected by others of their own species. The nests built by birds become their property, undisputed by others of their kind, and usually by those of other kinds.

So general is this respect paid to proprietorship in the nest, that naturalists have been long surprised and puzzled at the intrusive habit of the *cuckoo* as an anomaly in Nature. For the cuckoo, laying a very small egg, for a bird of its size, often deposits one in the nest of some small bird. When this egg is hatched, the young cuckoo rapidly out-grows its companions, to whom its unwelcome company is often fatal. Shakespeare makes the young cuckoo the type of ingratitude, expressing it in the following lines:

> "The hedge-sparrow fed the cuckoo so long,
> That it had its head bitten off by its young."

In the case of the eagle and some other birds, this property in the nest apparently continues, not only during the breeding season, but for life. So the burrows and dens of many quadrupeds, beasts of prey, and others, continue in their possession for years, undisturbed by others of their own kind. The squirrel makes a storehouse of his hollow tree, providing against the winter's dearth; and the hamster-rat burrows into the earth, and stores its cellars, with similar providence. Nor does the law of community of goods apply to these stores, except in cases where, like that of the honey-bee, one mother unites a whole community into one family, as in the hive.

Even the most timid animals often show unexpected spirit and resources in the defense of their homes and their young. But bees, wasps, ants, and many other

species, build up elaborate homes, and store them with food, against the season of scarcity in each year; and they value not their lives in a patriotic war in defense of their citadel.

The evidence from natural history, proving proprietary rights, is especially clear and strong as to local proprietorship, corresponding with what is termed in law landed property. Dogs show a deep conviction as to the sacredness of their masters' rights of property, both movable and fixed. The shepherd's dog takes charge of hundreds of his master's sheep; and never mistakes those of some neighbor for part of the flock under his care. Even the domesticated herd will resent the intrusion of others of their kind on their special pasture.

Although it is evident that Nature intended that many species of animals should prey upon others of different race from themselves, yet it is obvious that instinct has stamped on most animals a respect for some of the proprietary rights of individuals of their own kind.

However much the experience, observation, and reason of mankind may have developed the instinctive promptings of Nature into a more complete and complex system of rights of property than that which sufficed in a primitive state of society; yet property and proprietary rights, in their essential elements, are founded on the instinct of animals, including man himself.

IV.

The spontaneous productions of Nature, which supply the wants of animals, especially of man, are limited in quantity, even in the most fertile lands. Moreover, periods of abundance and of scarcity mark different

years, and different seasons of the same year. Both men and animals are always tending toward an increase of numbers far beyond that which the spontaneous yield of the richest soil can maintain.

But the appropriation, by individual men, of parts of the earth's surface to their private and exclusive use, leads gradually but rapidly to the incorporation, with each of these localities, of so much of the occupant's industry, skill, foresight, and economy, that the hunting-ground, which scantily supplied the wants of one savage, now maintains hundreds of industrious and civilized men. This wonderful and beneficent multiplication of produce results simply from civilized man's having incorporated so much of his own industry, skill, and enterprise with the material basis which nature afforded him to work on.

Thus, the regions roamed over by the hunting tribes of North America did not then support one human being to the square mile. Australia, a far more barren continent, did not then, perhaps, support one to the square league. Now both of these regions, through that industry, enterprise, and economy generated by the possession of private property, especially in land, are furnishing abundant provision for rapidly multiplying millions, which yet fall far short of approaching the maximum of the population these countries can sustain.

Yet it would be only necessary persistently to violate and overthrow this right of private property in land for a generation or two, to reduce these regions again to the savage and desolate condition from which they have been redeemed in very modern times. Proprietary rights are not the device of man's selfish ingenuity; but the chartered rights of property are stamped by Nature on the instincts of animals, and especially of the animal man.

V.

Powerful as is the impulse which drives men to seek the gratification of their own wants; and much as this impulse tends to promote their welfare and progressive improvement; there is another natural motive which urges them to industry, enterprise, and foresight; and tends yet more directly toward social progress and civilization. It is the instinctive desire to provide for and to protect their own offspring, and those naturally dependent upon them. We see this instinctive care of their offspring strongly and invariably manifested in animals of almost every species. It shows itself as strongly, but not so invariably, in the human race. We will not stop now to explain why this instinct is less universal and unvarying with mankind than with other animals. But it is evident that the long and helpless infancy of man's offspring makes the prolonged care and protection of the parent more necessary to children than to the young of other animals. And the fact that mankind have continued to exist and to multiply, is proof that parental neglect and improvidence have been the exception, and not the rule.

The obligation to provide for their offspring is so prolonged with mankind, that it generates the necessity of exercising industry and foresight beyond the promptings of mere instinct—suggesting the collecting and keeping of the means of long fulfilling this duty. This leads to the laying up of a lasting supply—that is, property—and points out that the violation of proprietary rights is a crime against individuals, and against Nature's laws.

In the most primitive and isolated condition of society in which we can imagine the human race to have existed,

the savage hunter pursued or lay in wait for his prey, to supply, not only himself, but his family with food. Not merely the selfish, but equally the social and domestic instincts also, at once stimulated and controlled his industry and enterprise. If the bounty of Nature continues to furnish a liberal maintenance to the hunter and to his family, in a generation or two this family becomes a tribe, governed, or at least much influenced, by their common ancestor, while he lives; and at his death, one of the elder and more energetic of his sons succeeds as the head of the tribe. For unity in counsel and in action is essential to the welfare and even the safety of this young and small community.

Society and rudimentary government thus make one step beyond the most primitive social condition we can imagine. The family becomes a tribe under patriarchal rule. This supplies the need of a more extended union for the mutual protection of the rights of each individual. But it deprives the individual of no rights he may have acquired. Nor does it displace the parental authority in the household, for that continues to be as necessary as ever.

VI.

Various circumstances, local and accidental, may have influenced the first formation of government. But the need of some political organization of society is soon felt in every age and country. It is needed to counteract the evil dispositions which never fail to manifest themselves in a marked degree, in at least some individuals, in every community.

Natural affection prompts most parents to exert them-

selves to provide for the wants of their children, stimulating them to industry, enterprise, and providence. But some evil-disposed persons seek to appropriate to themselves the proceeds of the labors of others. Thus: One savage gathers a quantity of fruit, or, after contriving the implements needed in hunting or fishing, kills his game, or catches his fish. Another of the same tribe, less industrious or skillful, seeks to supply his own wants, by stealing the fruit, game, or fish, or perhaps the hunting or fishing implements, from him who has acquired them by honest industry. Or he may attempt to rob him of them by force. The party wronged naturally tries to defend and right himself, and he seldom fails to find allies to aid him.

For even in the most primitive society, even in the tribe and the family, all but the culprit see the need of combining to prevent and punish offenses which, if unrestrained, would dissolve all social intercourse, and starve out the race. Hence originates the administration, by society, or by the head of it, of justice between its members, in order to protect them from each other. This is done, not by making a general law in the first instance, but by deciding a particular case, which serves as a precedent for the decision of similar cases in the future, thus laying the foundation of a general law.

This internal need of a government, to restrain lawless conduct within society, is felt wherever society exists. Even in the family, the parent has to protect the younger brother from the elder; and, perhaps, the sister from both. All mankind, perhaps without exception, need some influence, external to themselves, to assist them in regulating and controlling their own conduct.

VII.

Another imperious need for giving a political organization to society—an agency to direct and control the combined strength of all its members—is soon felt from the necessity of resisting violent attacks from without.

It is possible, nay, probable, that men first learned to combine and organize their means of defense in resisting powerful beasts of prey. The lion and the tiger may have been, indirectly, the agents in reuniting the wandering and scattered tribe into a more compact society. The *Ursus Spelæus* and the *Felis Spelæa*, now extinct, were far more powerful than the bears and lions of this day, and they were cotemporaries with primitive man. They must have been formidable enemies, compelling men to improve their weapons and fortify their places of refuge against them. Those lacustrine villages, the ruinous foundations of which have of late years been discovered in some Swiss lakes and elsewhere, may have originated in the effort to secure safe shelter from these powerful beasts of prey. Successful defense against such antagonists first, and soon, led men to become bold and skillful hunters of these and other beasts they formerly dreaded.

But primitive man soon found more dangerous enemies than beasts of prey. Among savages, who live chiefly by the chase, the necessity of wandering far in quest of game tended to break up and scatter the human race into many small tribes, keeping them alienated from each other. Any one of these tribes might find or invent causes of hostility against another. The mere killing of game in their neighborhood, viewed as a trespass, might excite their animosity, and thus lead to war.

Then would arise the need of organizing the strength of each community, in order to repel the assaults of an external human enemy.

Here, then, are two needs which very soon render it necessary to give society a political organization. Man, associating with his fellow man, needs a government to protect his rights from the encroachments of his fellows. And there is equal need for this political organization in order to repel violent attacks from without. But it is difficult to point out any other purpose for which it is necessary to call into action the intervention of government to promote the good of mankind.

If man's own instinct, and his reason and experience, were slow to prompt him to unite into organized society, he might derive many useful hints by observing the habits of the animals around him. Close scrutiny of the strongholds of the bee and the ant would reveal to him multitudes united into well-ordered communities, each individual having his appointed duty, and the division of labor well understood and practised among them. Valuable lessons might be learned from the gregarious quadrupeds and birds. The flocks of the *chamois* and the *moufflon* while at pasture always have sentinels posted around them to give the alarm on the approach of an enemy. The same is the custom of many other species of beasts and birds.

Animals have, too, their leaders. The herd of red deer follows the lead of some antlered stag. The wild horses of the *pampas*, that of some stately stallion. And huge bulls lead the bison herds of the North American prairies. The wild geese are marshalled for their migratory flight into wedge-shaped order, some strong-winged male leading at the apex of the wedge. Some gregarious

birds, especially those of the crow kind, even seem to hold parliaments, or grand courts of justice, and to condemn some notorious offenders, after public trial, to public execution. As to Rousseau's dream that political society originated in, or was founded on, a *Contrat Social;* the history of man affords no more proof of it than the natural history of animals, including the animal, man.

All were born into society, and could have taken no part in making the contract on which Rousseau assumes that society was based.

VIII.

Neither history nor tradition run back to the time when human society and government in its various forms first came into existence. But we have some rude examples, in very modern times, which are very suggestive of the conditions under which men may be prompted, and even compelled, to organize a government for their own protection. For example:

During the rapid settlement of North America, within the last two or three centuries, by people of European origin, there has always been a frontier population pushing on, from various motives, far beyond the settled country, into the interior of the continent. This frontier population was made up of various elements. Many enterprising men, fond of adventure, felt or imagined that their exertions were cramped by the growing density of the population around them, and sought wider and less occupied fields for their pursuits. Many others, too, who had failed in their undertakings at their original homes, often from want of industry or prudence, sought

to begin life again in a new home, which promised less competition and greater facilities for success.

But not a few sought the frontier merely to put themselves out of reach of the law and of the civil authority, which would no longer tolerate their lawless careers. But

"Cœlum, not animum mutant, qui trans mare currunt."

And migration to the utmost frontier, or beyond it, did not change the character or conduct of this latter class. It only gave freer scope to their propensities to evil. Here, in the Far West, beyond the pale of the law and of civilization, this reprobate class, by fraud, robbery, and violence, soon became intolerable nuisances to all those who sought to live there in peace and safety, and thrive by honest industry, not by depredating on others.

In the absence of the regular administration of justice, the better class of frontiersmen are compelled to combine, and take the law into their own hands, and thus maintain justice and civil order in their midst. By more or less rude and summary measures they rid the neighborhood of these foes to civil society. Their operations, directed against outlaws, are a sort of mean between executing civil process and waging open war. And doubtless, in such cases, many acts of extreme violence, of mistaken justice, and of tyranny, occur in their rude efforts to bring order out of chaos, to protect rights against wrongs.

But in more remote times, and in other lands, many a local government of as rude an origin has gradually improved its organization and its administration, so as to serve well its purpose—the protection of private rights.

Accidental circumstances might vary the original form

of these early polities. Usually, some leader of marked talent and energy, stamped on it the monarchical type. Sometimes a combination of leading men might found an aristocracy or an oligarchy. Some unusually favoring occurrences might give it a republican character. But a true democracy would be hard to find, so cumbrous and evanescent is that form.

IX.

We may observe that in all the cases that originate a necessity for a government, in order to secure men's rights, and preserve social order, the law does not pretend to create or grant rights, but only to protect rights already existing, and those which individuals may hereafter acquire for themselves.

But the very exercise of this duty of protecting rights develops, more or less rapidly, the perception of rights which, at first, may escape the notice of primitive legislation.

Thus, men are naturally prompt in making promises, and entering into contracts, but not so prompt in fulfilling them. But when society has once recognized the wrongfulness of appropriating, by stealth or violence, the product of another's industry, and has learned to resist the wrong, and to punish the wrong-doer, it needs but one step further in reasoning, to lead to the conviction that a breach of contract is also an offense; and that each one in the community is interested in compelling the contractor to fulfill his contract. For the breach of it is but a more insidious mode of depriving a man of the fruits of his industry.

As men exercise their reason and conscience, the field

of inquiry and of judgment as to social duties enlarges itself rapidly. Thus, men instinctively recognize the obligation which Nature and their own acts have laid upon them, to provide for and protect their own families and those naturally dependent upon them. They learn to recognize certain rights as vested in each member of their household. They extend this feeling, or conviction, so as to apply it to the families of their neighbors also. While recognizing the need of great authority and power in the head of each household, they learn to include every one in the tribe or community, as vested with certain rights, and under the tribe's protection. They lose esteem for, and confidence in, those who obviously neglect their domestic obligations. Some monstrous act of domestic tyranny, some gross outrage against a wife or a child, opens their eyes to the fact that a man may commit a crime against his own family, as well as against his neighbor; and that the community is interested in preventing such offenses by punishing the offender.

X.

Man is born a hunter, like the beasts of prey. But, unlike them, as he improves his condition, he is constantly changing the object of his chase and his modes of pursuing them, showing increasing ingenuity and cunning in his progress.

As men multiply on the face of the earth, the spontaneous products of nature available for their maintenance, begin to fail them. A large area of territory is needed to support the primitive tribes, while they derive their whole subsistence from the fruit they can gather and the game they can kill. Even in the wide

territory open to their wanderings, scarcity, at times rising to famine, often thins their number. In some favorable situations, the catching of fish supplied more abundant food, and this art and industry was probably practised as soon as that of hunting. But it is almost as uncertain in its results.

The rearing of domesticated animals to furnish men with food requires far less territory than the hunter needs to supply him with game, and it is a far more reliable resource. But we know not when, where, or under what circumstances men made this first great step in bettering their condition, or what animal they first reduced to servitude. On the other hand, we know that some races of men failed to make this progressive step where it was fully within their power.

The hunting tribes of North America derived a large part of their living from the slaughter of whole herds of the bison. Yet there is no record of their ever having even attempted to domesticate this animal, which might have supplied the place of the bull and cow of the old continent, and thus have enabled them to enter on a profitable industry, on which they might have built up a civilization. The bison has been reared in servitude, as an experiment. It furnishes beef, milk, butter, cheese, hides, etc., but being, on the whole, less useful than the common cow, nothing is gained by breeding them.

It is yet more strange that the Mexicans, who, if we can believe the historians who have searched into their antiquities, had made great progress in many high and ingenious arts, under the greatest disadvantages; who had cultivated a literature, made progress in systematic legislation, and built up a complicated civilization—yet they allowed the bison, which was within their reach,

probably, in the winter season, within their territories, to continue roving wild over the length of the continent, without making any attempt to tame them. The only animal mentioned by historians as tamed and reared in Mexico, under its ancient and puzzling civilization—was the turkey.

We might have been tempted to class, among the instincts of the human race, a propensity to domesticate inferior animals, did we not know that some races of men never attempted it, or, at least, never succeeded in it, under circumstances apparently favoring success. Some countries, indeed, afforded no animal, or, at least, no quadruped, suitable to, and profitable in, servitude. The Australian could hardly have tamed and reared flocks of the kangaroo.

XI.

It is likely that the first animal anywhere tamed was the dog. It must have often happened that the hunter caught alive the young of wild animals; and sometimes he would bring them home unharmed. Among these, the young of the dog was easily tamed, feeding on the refuse of the family meal, and becoming the pet of the children. He would promptly attach himself to the household, and his useful qualities soon show themselves. He becomes a vigilant sentinel and incorruptible guardian over the family and their property. His propensity to hunt after game, and his keen scent in tracing its footsteps, render him soon an invaluable ally to the hunter.

But the domestication of the dog was not the beginning of pastoral life. It merely facilitated man's entrance on that occupation; the dog aiding his master to

catch and keep other animals more fit to compose the flock and the herd. Men did not rear dogs to supply themselves with food—although, in some countries, the dog became an occasional article of diet; and it has happened, at times, that a hunting tribe, reduced to extreme want, have eaten their dogs, in a vain effort to escape starvation.

It is likely that many haphazard trials were made by primitive men to domesticate animals, before they found out what species were most fit for it, in each part of the world, most easily reared and kept; and most useful as food, and for other purposes. In some countries the range of choice was very narrow. The camel, in the more sterile parts of Arabia, the reindeer, in Lapland, and the llama, in Peru, found there no rivals. In more favored countries and climates, we know that the sheep, the goat, the cow, the swine, the ass, and then the horse, fell under man's control at very early dates.

As soon as men became shepherds and herdsmen their condition, resources, and habits underwent great changes and improvements. Hunting ceased to be their necessary and almost daily toil, and became only their occasional sport. But as long as wild game is to be found they never give up the pursuit of it.

Still, the possession of flocks and herds revolutionized their condition. The proprietary rights of individuals now extended beyond that over dead game, to the possession of many living animals, and to the right of free pasturage for their herds. But the necessity of following their flocks on a change of pasture compelled them to live in tents, and they did not then claim permanent property in any fixed domicil.

Having now a steady and comparatively certain supply

of food, not only in the flesh of their herds, but in the milk and its proceeds, men could congregate together, uniting in large tribes. The more ample leisure and more abundant materials at their hands, led to the improvement of known arts, and to the invention of others hitherto unpractised.

The very need of seeking fresh pastures from the exhaustion of that in their neighborhood, or from the change of season, habituated them to moving in a body, with all their possessions around them, and fully prepared for a long march. This taught them the need of order and method in their common movements, and formed the tribe into an organized body-politic, recognizing the guidance of one head.

On becoming shepherds and herdsmen, men made a vast stride forward in social, political, and military organization. For this aggregation of herdsmen into one body, often on the move in search of wide and fertile pastures, consisted of men trained to the use of weapons in hunting and in the defense of their flocks. And the command of the speed and strength of the horse had now added greatly to the ease and celerity of their movements. The habitual organization of society was now like that of a *corps d'armée* already in the field, with its chief at *its head*, and its magazines and its *commissariat* close at hand. Under able, enterprising, and aggressive leaders, these restless nomads have often been methodically united into vast hordes, which, abandoning their native steppes in a mass, a migrating nation, have many a time revolutionized the political and social condition of the greater part of the old world; overrunning, subduing, and, at times, exterminating, almost extirpating, the previous population. (*See Institutes of Timour.*) But these devastating marches are foreign to our present inquiry.

XII.

GREAT as were the results of this adoption of pastoral industry as a settled means of living, it did not enable men to reap the full profits of the bounties of Nature. Although pastoral hordes formed multitudes, vast when compared with the small and scattered tribes of hunters, they were yet but a sparse population in comparison with that which the soil of the earth could provide for.

The culture of the soil was the next great step made by men; thus bettering their condition, by increasing their supply of food, and the certainty of it. And this change in occupation and industry brought many unforeseen consequences and benefits, and also some evils, in its train.

We are quite as ignorant when, where, and with whom, agriculture and arboriculture originated, as we are as to who was the first hunter, fisher, or herdsman. Was it in some sheltered valley, highly favored in soil and climate, and abounding in fruits that supply man's wants—that agricultural industry took its rise? That is not likely.

It probably began under very different conditions. It is not in the midst of the plenty of Nature's providing, that man originated the attempt to produce, by art, a yet greater abundance. His whole history proves the contrary. The improvidence of mankind, in the mass, is nowhere better exemplified than in their dealings with the soil, and with whatever spontaneously springs from the soil. In every country and age, one of the marked modes in which men have exercised their activity and industry, is the destruction of the forest wherever it has covered

the country. A living tree found no value in their eyes until it became a rarity.

A striking example of this propensity to destruction is afforded by the conduct of the Portuguese navigators, sent out on voyages of discovery, early in the fifteenth century, by Prince Henry of Portugal.

"Madeira (the Portuguese name for wood) was covered with dense forests. This lovely and fertile island had, doubtless, a people and a name of its own; but they have passed away, and the footsteps of the civilized discoverers have obliterated every trace of the aborigines. The first act of the adventurers was to set fire to the dense forests, which fed a conflagration which was not fairly extinguished for many years; and when the virgin soil was fully exposed, colonization was successfully established." *

So elsewhere, when the forest is laid low, men begin to lament its utter destruction; and perhaps some feeble efforts are made, here and there, to restore it. Again, when men had made some progress in agriculture, they, in every age and country, cropped their fields until they became too much impoverished to produce crops that paid for the labor bestowed on them. Then they felled the adjacent forest, or inclosed the prairie to sow new fields, to undergo the same process of utter exhaustion. It is not until there is no fresh soil fit for cultivation, that they make any attempt to recuperate the acres their own improvidence and want of skill have rendered utterly barren.

Other examples of man's improvidence, for himself, and yet more, for his kind, are seen in the sweeping destruction of game; as in the wholesale slaughter of the

* Spry's Cruise of the Challenger, p. 26.

American bison (now rapidly disappearing), often killed only for their tongues and their robes; in the utter exhaustion of some fisheries, as the salmon fisheries in British rivers and elsewhere, wherever they are free to all men. Such resources are gradually yet utterly lost to all, unless it be prohibited to kill game on another man's land, and to catch fish in another man's waters.

For such reasons we think that agriculture did not originate in what afterward proved to be the most productive fields. It probably took its rise under very different conditions.

Perhaps some primitive savage, driven by the scarcity of game and of fruits, sought some convenient waterside in order to provide for his family by fishing. There he constructs a rude shelter for them, or improves some natural cave near at hand, as a more sheltered and safer refuge. He now maintains them by fishing. But in better times he was a man of the woods; and retains a craving after the forest and its productions. Should he observe, near his hut or cave, some tree of a kind that had often yielded him fruit, to satisfy his hunger, or to slake his thirst (perchance the cocoa-nut palm), it will recall to him pleasing memories of the past. He will not hack it down with his flint hatchet, but will go further to seek his fuel. Should the tree bear abundantly in season, as fruit trees standing alone, not crowded by other trees, are apt to do, he will learn to value it and protect it from injury, even by his own family. He and his have become interested in the preservation of a tree. And this is the first step toward arboriculture, which, it is likely, preceded agriculture.

Again: some projecting point on the bank of a river, of a bay, or an arm of the sea, may afford especial facilities

for catching fish ; and thus, in time, attract a concourse of those engaged in that industry. The earlier settlers, needing some space for drying and curing their fish, for spreading out their nets and fishing tackle, for keeping their fuel, and to give elbow-room to their families while at work, would inclose with stakes, and stockade, a space much beyond that covered by their huts. And each new-comer would hasten to follow their example. These fishing villages originated maritime towns and cities.

Living chiefly on a monotonous diet of fish, these people would feel a craving for fruit and edible roots, and make excursions into the country around to get them ; some the produce of annual, others of perennial, plants. After the fruit had been eaten, the seeds and stones would be thown aside within the inclosure, already manured and enriched by the refuse of the fishery. In the spring many of these seeds would germinate, some of them in places and corners out of harm's way.

In a fishing village little of vegetation would be seen. What sprung up would attract the eye. Some one, among these rude fishermen, more observant than the others, would recognize the young plants springing up from the seeds of the fruit he had eaten. He might charge his children not to harm them ; he might even take the trouble to pull up the weeds cramping their growth.

Here is a rude experiment in horticulture, which will yield some fruit ; and more than that, it will germinate a priceless idea, the most prolific that ever entered the mind of man. This experiment will slowly grow into an art and an industry. In time this little inclosure will be enlarged into a garden. As the art of cultivation

makes progress, other persons, perhaps strangers coming to the village to procure fish, observing this primitive culture, will seek to imitate it. If they live where the land is unoccupied and the soil fertile, they will be led in time to expand their gardens into farms, adding acre to acre, fencing out wild animals and tame flocks, if any be yet near them; they will add the culture of other plants to that of those with which the art began, thus gradually grafting a new creation on Nature's, by artificially multiplying and improving on her products. For several kinds of corn-producing plants, and, we believe, some that bear fruits, have been so much changed and improved by cultivation, that botanists cannot now point out from what wild species they sprung.

At length somebody invented the plow, and yoked the ox to it. Then it only needed time, enterprise, and experience to expand this art and industry, from the primitive system of agriculture, into the means, in future generations, of feeding and multiplying mankind to numbers beyond the conception of their hunting, fishing, and pastoral forefathers.

XIII.

Man is not an amphibious animal. He is, indeed, one of the few animals, and the only one of the *mammalia*, which cannot swim. Their swimming is instinctive. With man it is an art. Man's natural aptitude for acquiring it varies greatly, chiefly, we believe, because the specific gravity of individuals varies much.

But want early drove men to the water's edge, and into, and at length on, the water. They found in the vast body of water, fresh and salt, a liberal and often abun-

dant supply for their most pressing needs. Indeed, not only the great waters, but in most countries, the borders of the sea, and of the water-courses, are the regions most abounding in animal life.

Many primitive tribes seem to have derived their subsistence chiefly from the shell-fish they gathered. In many parts of the world are found mounds composed mostly of the shells of oysters, clams, and other *mollusca*, which have been exposed to the action of fire. It must have required many generations, nay, centuries of hungry savages, to gather them.

On the coast of Denmark some of these mounds, of large area, but of little elevation, have been carefully explored, and revealed much as to the habits of pre-historic man. We have seen a somewhat similar mound on the coast of South Carolina, twenty-four miles northeast of Charleston, close to a landing on one of a labyrinth of creeks, leading through a great salt marsh, into a large bay. The country-people around called this mound the "Old Indian Fort," it being a circular ring mound, inclosing a lower area. It is made up of the shells of oysters and clams, showing marks of fire. Had a tribe of savages, living solely on these shell-fish, habitually seated themselves around their fires, roasting the oysters and clams, and, after eating the muscles, thrown away the shells from the assembled company with vigorous arm, they might, in the course of generations or centuries, have piled up just such a circular mound as this.

But primitive man was making some progress in the arts, which were to raise him above the necessity of living on shell-fish. One of them at length invented the barbed spear, or harpoon; another the fish-hook, and the line;

then another, the net or the seine; and, near the sea and great rivers, fish gradually became the chief diet.

Some observant fisherman at length perceived that to stand on the shore, or even knee-deep in the water, was not the best point for taking fish. The larger number and the larger fish would keep in deep water, out of his reach; and, to the hungry savage, the larger the better the fish.

Some uprooted tree, with the trunk stretched out and floating on the stream, afforded him a stand, from which the deeper water would be accessible to his hook and line. In his anxiety to increase his catchings, he at last hit upon the lucky thought that a few dry and buoyant logs, lashed together with vines, would sustain his weight on the water; and with a pole he might push it to the deep places where the fish were larger and more abundant. His slowly awakened ingenuity thus devised the fishing raft, which, in a generation or two, is improved into the *catamaran;* which is displaced in time by the more handy canoe. The fisherman is now on the way to become a mariner, and, after the lapse of some generations or centuries, fleets for commerce and for war begin to furrow the surface of the sea.

XIV.

Perhaps not one of these marvellous changes in man's habits and pursuits was the result of any great effort of invention. A number of casual observations of Nature, and of special contingencies around him; some small efforts of ingenuity; some lucky accident revealing to him a new fact, a new material, or some physical law before

unknown to him, led step by step to the invention and improvement of all the arts practised by mankind.

It would be difficult to enumerate all the contrivances in common use which we owe to the imitation of Nature's mechanism alone. For example: the hinges on which our doors turn. They are a clever contrivance. Who invented it? No man.

A long time ago (the date is not recorded) an epicure was dining luxuriously on sea crabs. When he had sated himself with this rich food, being an observant man, he examined minutely the ingenious and effectual way in which the large claws of the crab were united at the articulating joint to the limb that supported them. His observation of these sockets led to the adoption of the principle of the hinge to man's use, with many modifications. So man's first lesson in sewing was learned from the tailor-bird, which neatly sews the edges of leaves together to conceal its nest. The net to take fish was copied from the spider's web to catch flies. The burrowing animals taught useful lessons in well-digging and mining; and the wonderful constructive instincts of the beaver afforded valuable suggestions in the art of damming streams and building huts.

So in pottery. I have taken from the surface of what had been a clay puddle, but now dried up by the summer's sun, large pieces of fine clay of moderate and equable thickness, smooth on the upper side, which curved up like the inner surface of a hollow sphere. All to whom I showed these pieces mistook them for fragments of unbaked pottery. Such pieces of clay, accidentally exposed to the action of fire, revealed the virtues of clay and the potter's art to primitive man.

Again, flints and some other kinds of hard stone, skill-

fully fractured, furnished man with his first edge-tools. By accident, one had occasion to make a hot fire among some fragments of metalliferous rocks. After the fire had gone out, on stirring the ashes looking for a live coal, he found, instead, some pieces of a bright, hard, smooth, shining substance, of a reddish color and of great weight, melted into various shapes. He had found *copper*, perhaps, as often happens, amalgamated with *tin*. This is *bronze*, an alloy, in its tool-making qualities inferior only to steel. He perceived that the fire had extracted it out of the rocks, and melted it into these various shapes; and he slowly applies these lessons from Nature to useful ends of his own.

For, in spite of his necessities, primitive man's narrow range of observation and experience make him a very slow inventor. We must not forget that inventing means, at first, finding out by accident or chance; later, it may mean, by experiment. And that every step in the improvement of an art lends itself to the promotion of other arts.

Yet we know that this last remark has not proved of universal application to mankind. Men of every race have acquired the rudiments, at least, of several arts. Yet only a few of these races have succeeded in extending and improving the arts, so as to raise themselves to a state of civilization, or even semi-civilization. The depths of savagery is, perhaps, represented by the rude fishing tribes found by Nearchus, Alexander's admiral, on his voyage from the Indies to the Persian Gulf. These tribes eat their fish raw, not having yet learned the use of fire. We do not feel called upon, and will not attempt to explain the causes of these differences in races. Our inquiry refers to those races only which have proved themselves capable of civilization.

XV.

In the most primitive condition of society, each family must not only have procured their own food, but made, with their own hands, all the arms, implements, utensils, and clothing they needed. This manufacture for the supply of all their wants may have continued long after the habits and occupations of different tribes had varied greatly, to suit the character of the different parts of the country in which each tribe chanced to settle. But this was not destined to continue.

The inclination to barter seems to be an instinct in man. If it be an instinct, it is one peculiar to man; for no other animal exhibits it. Yet the first hunter may have bartered to the first fisher some of his game for some of the other's fish. We cannot conceive of a state of society so rude and primitive that barter was unknown in it.

Special circumstances must soon have induced some persons to devote themselves to special industries, with a view to barter their products for what they needed more. Grecian mythology tells us that lame Vulcan, unable to rival his active fellow gods in their enterprises, sports, and pastimes, turned smith; and, shutting himself up in his workshop, employed himself in forging weapons and armor for Mars, thunder-bolts for Jupiter, and in the contrivance of other choice samples of his craft. He was the first artisan. So, perhaps, some hunter, disabled by permanent injuries from returning to the pursuit of the game on which he had hitherto lived, devoted his time to the making of weapons and other implements, in exchange for which the hunter and the fisher would barter a part of their spoils. In short, prompted by some special aptitude, or urgent necessity, or facilitating

circumstances, individuals began, at very early dates, to give themselves to special industries as a means of earning a living.

The disabled hunter of primitive times would, by practice and observation, acquire peculiar skill in making the lance, the harpoon, the bow, and the arrow; and all his tribe become eager to get weapons of his make. Or the making of pottery might become his art, and the work of his hands be in constant demand.

Some parts of a country abound in materials and facilities for the production of one or more commodities, generally useful and much needed in other places not far remote. Take common salt, for instance, which abounds in some places, and is utterly wanting in others. Some persons would soon be induced to employ themselves in preparing salt; and others, elsewhere, needing salt, will make some articles of general utility, the materials for which abound in their neighborhood, in order to barter them for salt.

Here, then, are articles made for sale, which is manufacturing; and articles exchanged for others, which is barter, or primitive trade. As this manufacture and exchange of commodities increases, there springs up a class of persons who make a business of procuring from the producers some of their goods, and carrying them to the places where they are most wanted, to barter or sell them there for more than they gave for them.

Soon some convenient and portable commodity comes into use as a measure of value. In time this becomes silver or gold, as most convenient. As almost every part of the country, indeed of the world, has some peculiar advantages for producing some commodity wanted elsewhere, commerce extends its operations, remote regions

come into intercourse with each other, new conveniences, comforts, and arts are widely disseminated; and by greater intercourse of man with men, knowledge of all kinds is increased.

As men multiply on the face of the earth, new wants are generated, new arts are invented, and knowledge increases; a greater variety of employments become opened to men. The advantages and necessity of the division of labor become fully understood, and more practised continually. To the original occupations of men, first hunting and fishing, then pastoral life, then farming, are now added various occupations in the different branches of manufacture, commerce, and employments that call for professional and scientific skill; and also more yet in manual arts, and more still in unskilled labor. In each of these, many men seek to provide for themselves and their families, by selling their productions, or their services.

Thus society becomes a very complex body. A great variety of rights, relations, interests, and obligations are now generated, and spring up among the members of the community; and a more comprehensive and complex system of laws becomes needed to protect their rights, and to adjust the relations of individuals with each other. The law finds full employment, not in creating rights, but in protecting rights which have naturally grown into existence.

XVI.

We find proofs of the existence of manufacturing industry on a large scale; and indications of extended commercial intercourse at a date when prehistoric man had

not yet discovered the nature and the use of any one of the metals. Geologists and archæologists, searching for traces of primitive man, have found in the middle of France, near Tours, and elsewhere, evidence of the existence and long continued manufacture of flint-tools and weapons: hatchets, knives, chisels, saws, lance-heads, arrow points, etc. The accumulation of those implements, near the surface of the earth, over a large area, in the neighborhood of Tours, was immense. Over 20,000 specimens were dug up in a few weeks. True, nearly all of these were broken, or defective. The explanation of this latter fact proves the immensity of the manufacture. The articles successfully finished had been disseminated over a wide region of country in extended and long continued traffic. Archæologists think that they have traced tools from this factory as far as Belgium. Those left behind in such numbers are only the failures in the process of manufacture.*

This and other examples show us how early men had recourse to the division of labor, some giving their whole time to making articles for sale or barter, others transporting these articles to remote points for the purpose of trade. And so it was in other occupations. Among the growing multitudes of men most persons had soon, each, to adopt some special form of industry to earn his living.

XVII.

We have been at pains to trace some of the steps men must have taken in their progress toward civilization. Men are born into society. It is through his

* L'Homme Primitive, par Louis Figuier, pp. 171 et 245-6.

domestic and social instincts that he is enabled to improve his condition. Yet all human progress and improvement spring from the efforts of individuals, and in most cases, of those especially gifted by nature. And, through social intercourse, this progress and improvement is communicated to others less gifted than themselves.

Numerous have been the successive steps, with long intervals between them, by which even the most gifted races of men have risen from primitive barbarism to the highest civilization yet reached. And every one of these steps has been prompted by the enterprise, ingenuity, and industry of some individual.

The invention of each weapon, used by the most primitive hunting tribe, they owe to some one man; the contrivance of the fish-hook, the net, and of every device for catching fish, each has a similar origin. Some particular man first domesticated the dog, and drew attention to those instincts and traits which render him an invaluable and incorruptible servant and ally to his master. Some other man first tamed one or other of those ruminating animals so peculiarly adapted to man's uses—the sheep, the goat, the cow, the camel, and others—thus preparing the way, amidst the growing scarcity of game, thinned by constant slaughter, for the first great change in man's pursuits; turning the scattered and starving tribes of hunters into more thriving and more united bands of shepherds and herdsmen. It was the observation and thoughtful foresight of an individual which first taught men to preserve the tree for its fruit, and to protect the germinating seed for the sake of the harvest it promised. Thus leading their fellow men, step by step, toward arboriculture, horticulture, and so to agriculture, which is the foundation of civilization. The necessities

and practised skill of another man originated the occupation of manufacturing what others wanted, to be exchanged for what those others had in an abundance beyond their needs. From such first progressive steps sprung all the different pursuits of men, in all the various branches of special skill and knowledge useful to their possessors and to their fellow men. These pursuits have now become almost numberless, but there is not one of them which we do not owe to the inventive faculties, enterprise, and industry of some particular person, and its improvements to others who have given special attention to it.

And yet it is to their social intercourse with each other that mankind, in the aggregate, owe their progress and improvement in their condition. The most gifted individual can make but a step or two onward by his own resources.

In this sketch of man's progress we can trace Nature's providence for men. (In this inquiry, in this agnostic age, we must not speak of God's providence.) Unlike the brute creation, content under the guidance of their instincts, man has been constituted with a constant craving to better his condition. But, then, Nature has endowed him with faculties which enable him gradually to raise himself above his primitive state.

By the further wise providence of benignant Nature, each step that an individual takes toward rendering the gifts of Nature more available to his own use; each invention or improvement in an art, or in the attainment of a special skill, or of knowledge hitherto hidden, while it may serve his purpose in profiting himself, sooner or later becomes known to his neighbors, and in time its beneficial results are accessible to all.

Indeed, it often happens that inventions, devised with a view to profit, prove more profitable to others than to the inventor himself, his gains not repaying him for the time, pains, and cost he had bestowed on his object. Indeed, the mere worldly lucre accruing from genius, science, wisdom, and learning, to the highly-gifted possessors of these endowments and acquisitions, are as nothing when compared with the benefits derived from them by the multitudes who had no part in originating them.

But mere profit, immediate, *direct* lucre, is not the chief motive which impels the most highly gifted of men to the exercise of their special gifts. And it is well that it should be so. Before Virgil's day and since, the poet, the artist, and the inventor, each have had occasion to sing, in Virgil's strain—

Hos ego versiculos feci, tulit alter honores,
Sic vos non vobis nidificatis aves,
Sic vos non vobis vellera fertis oves,
Sic vos non vobis mellificatis apes,
Sic vos non vobis fertis aratra boves

It is in the enthusiastic exercise of its powers that genius must find its chief reward. Little of the profit which ultimately accrues from its productions returns to reward the teeming brain and skillful hand from which it sprung.

In short, all the progress and improvement in the condition of mankind have been built up out of the contributions of individuals. To the domestic and social instincts of men, which disseminate these acquisitions, civilization is due. We labor to establish this, in order to counteract the error common among even educated people, that government, or the State, as a creative in-

stitution, does, or can do, anything directly to improve the condition of men, and to promote civilization, beyond providing for the security of the rights of individuals.

XVIII.

MAN's domestic and social instincts bring him into contact with society, not with the State, or with the government. These latter should be carefully distinguished from society; but they are often confounded with it, although they originate from different, and even opposite, sources.

By society, taken in its broadest sense, we mean to include all the human beings within some given area, having domestic or social relations, or intercourse and transactions with some of the others, so that each one may be directly or even indirectly affected and influenced, for good or evil, by the conduct or pursuits of the others. The sources of the relations which originate society, are the domestic and social instincts exclusively.

On the other hand, the State is merely the aggregation of the strength and resources of all these individuals into a unit, for the protection of the rights of each one of them. The State originates, not from the social instincts of men, but solely from their selfish instincts—each one seeking his own safety and the security of his individual rights, through the protection hoped for through the State. The government is merely the agency organized by the State, for the fulfillment of the duty of protecting private rights, and for the management of the resources the community has intrusted to it.

All that society, organized into the State, can do to promote the welfare of individuals and of the commu-

nity at large, is to fulfill the primitive purpose of its organization—the negative duty of securing to each member of the community the undisturbed enjoyment of his personal and social rights, and of the results of his industry, skill, and economy, by enforcing justice at home, and repelling violence from abroad.

These two negative duties, of preventing evils, must be carefully distinguished from the bestowing of direct and positive benefits on the people of the community. For the administration of justice at home, and the repelling violence from abroad, are exactly the only two things individuals and unorganized society cannot do for themselves.

A general convenience and consciousness of the danger to the private rights of each one, lead all men, by self-seeking instinct, to look for security to a combination and organization of the strength and resources of all in the community, for the protection of the rights of each one; and the community thus becomes a State—a change which by no means implies a community of goods or of rights. The State is a unit only for the protection of private rights.

Even those who may have taken no part in this measure of combination, when they have suffered wrong, and are unable to right themselves, see the need of this combination; and readily have recourse to the authorities representing the community, whether it be the patriarchal chief of a clan, or the chiefs of a tribe in council, or the assembled people, or a parliament, or a sovereign prince, or the courts which may have been established for the administration of justice.

Wherever men are found in numbers, there will be social relations, and a society, and possibly all the blessings

society can bestow. But if there were no wrong-doers in that society, there would be no need of an agency to administer justice. If there were no foreign enemy to endanger society or its members, there need be no State organization to resist their attacks.

Everything else that need be done in human society, can be, and has been, better done by individuals, or, in many cases, by voluntary combinations of them, than by any government whatever. We shall find occasion to point out how generally, almost universally, governments have failed to attain to satisfactory results, whenever they have left the plain path leading to their two great primary duties—administering justice at home, and resisting violence from abroad—to take upon themselves works of supererogation, under the guise of active beneficence to those they govern.

XIX.

We have referred to personal and social rights. Let us inquire what is meant by the rights of an individual.

Men being endowed by nature with certain powers and capacities, it is often said that their first right is that of using their powers to promote their own well-being, in any way not hurtful to their fellows.

But the truth is, that men, coming into life as infants, live long years under the control of others, and may come under many binding obligations before they fully attain to the maturity of the powers nature has endowed them with. Often many circumstances may justly continue to trammel their perfect freedom in the use of those powers exclusively for their own advancement.

But even where a man has the freest use of his natural endowments, they are at best only the roots from which human rights may spring up and branch out in many directions. They are capacities rather than matured rights. For the great mass of men's rights spring from the use they make of their capacities. Nature, while endowing men with certain powers, has burdened them with certain wants and appetites. The possession of these powers, stimulated by these appetites, does not give him a right to satisfy his wants, under all circumstances, like a beast of prey.

Even if we should say that the tiger's powers and appetites give him a right to seize upon the prey, man or beast, that comes within his reach; who will assert that a man's hunger entitles him to take the food already earned and appropriated by another? or that his shivering in the wintry blast gives him a right to wrap himself up in another's cloak or furs? or that his unsheltered condition justifies his forcing his way into another's house?

Nature has made provision, in the sympathies of mankind, for cases of accidental and unavoidable destitution. But if cases of want gave rights, charity and hospitality would lose their nature and merit. They would cease to be what they are. Just think of a man having a ground of action at law against another, a stranger to him, for allowing him to remain without food or clothes! Or think of indicting a man for such neglect of another, a stranger to him, as a crime!

XX.

Even in very rude and primitive states of society, men learn that their wants are not the measure of their rights.

Little troubled as men commonly are with scruples, we sometimes meet with scruples, and even with a point of honor, where we little expect it.

In the far Northwest of North America, where the improvident aboriginal population are dependent for their food solely on their success in hunting, when it happens, in winter, that they have killed more buffalo or other game than they can consume at once, or carry to their lodges, it is usual to select some suitable spot near at hand, and make what the French half-breeds call a *cache*. Although the term implies concealment, the *cache* is not hidden, being on the surface of the ground, now frozen as hard as rock. The frozen meat is inclosed and buried under a substantial pen of heavy logs, to protect it from carnivorous beasts, as the wolf and fox. There it remains safe and sound while the frost lasts, a provident store against a period of ill success in hunting.

It is a point of honor, with these simple people, to respect as sacred these stores, laid up by their brother hunters. If they themselves become destitute, they must seek out some neighboring lodge, perhaps a day's journey off, and rely on the hospitality that awaits them there; and which, in the like case, they feel bound to offer without stint.

In the narrative of the "Northwest Passage by Land" to the Pacific, by Viscount Milton and Dr. Cheadle, in 1865, we find some very striking instances of the customs and of the heroic abstinence and honesty of these rude hunters. After mentioning the success of their own party in hunting the buffalo on a particular occasion, the authors say:

"There was now more meat than we required at pres-

ent, and the *cache* was therefore left undisturbed, some given in charge to *Gaytchi Mohkaman* (an Indian hunter)." Page 149.

Some weeks after this they mention that "Two young Indians, who had just arrived from the plains, brought a message from *Gaytchi Mohkaman* to the effect that he would be compelled to eat the meat we had left in *cache* if we did not fetch it away immediately." Page 158.

"At Jack Fish Lake we met *Gaytchi Mohkaman* and some Wood Crees of our acquaintance. The former apologized for eating our meat in the winter, urging the dire necessity which compelled him." Page 167.

In a previous part of the narative it is mentioned:

"As Cheadle sat over the fire in the evening alone, in a somewhat dismal mood, the door was opened, and in walked a French half-breed, of very Indian appearance. He sat down and smoked, talked for an hour or two, stating that he was out trapping, and that his lodge and family were about five miles distant. Cheadle produced some pemmican for supper, when the visitor fully justified the *sobriquet* which he bore, *Mayhaygan*, or 'the wolf,' by eating most voraciously. He then mentioned that he had not tasted food for two days. He had visited our hut the day before, lit a fire, melted some water in the kettle, and waited some time in the hope that some one might come in. At last he went away without touching the pemmican, which lay on the table ready to his hand. This story was doubtless perfectly true, agreeing with all the signs previously observed, and the fact that the pemmican was uncut.

"With the pangs of hunger gnawing at his stomach, and viewing, no doubt, with longing eyes the food around,

he had yet, according to Indian *etiquette*, refrained from clamoring at once for food, but sat and smoked for a long time without making the slightest allusion to his starving condition. When in due course he had offered him something to eat, he mentioned the wants of himself and his family. The next day he left, carrying with him supplies for his squaw. He was exceedingly grateful for the assistance, and promised to return in a day with his wife, who should wash and mend all our clothes as some acknowledgment of the kindness." Pages 134–5.

Some pages further on the authors mention the relief they afforded to a small tribe of Indians, reduced by the scarcity of game to the verge of famine :

"During the day family after family came in, a spectral cavalcade, the men gaunt and wan, marching before skeleton dogs, almost literally skin and bone, dragging painfully along sleighs as attenuated and empty of provisions as themselves. The women and children brought up the rear, who—to the credit of the men be it recorded —were in far better case, indeed, tolerably plump, and contrasted strangely with the fleshless forms of the other sex. Although the Indian squaws and children are kept in subjection, and the work falls chiefly on them, it is an error to suppose that they are ill treated, or that the women labor harder or endure greater hardships than the men. The Indian is constantly engaged in hunting, to supply his family with food; and when that is scarce he will set out without any provision for himself, and often travel from morning to night, for days, before he finds the game he seeks. Then, loaded with meat, he toils home again; and while the plenty lasts considers himself entitled to complete rest after his exertions.

The self-denial of these men, and their wonderful endurance of hunger, was illustrated in the case of our hunter, *Keenomontiagoo*," etc. Pages 145–6.

"As this miserable company came, they were invited to sit down by the fire. Their cheerfulness belied their looks, and they smoked and chatted gayly without appearing to covet the meat that lay around, or making any request for food at once. No time was lost in cooking some meat and offering a good meal to all, which they ate with quietness and dignity, too well-bred to show any sign of greediness. Although they proved equal to the consumption of any quantity that was put before them." Page 147.

XXI.

The great mass of rights available for the promotion of man's well-being are derived from the right use of his natural endowments. By enterprise and industry he may provide for his own wants. By practice and ingenuity he may increase his earnings and acquire a degree of skill by which his services rise in value. By providence and economy he may accumulate in some durable shape a part of the result of his labors. By forming domestic and social ties, he may at once acquire new rights and assume new obligations. Every new relation he holds may extend his interests and his influence, not only as husband, parent, kinsman, neighbor, but as one skilled in some important art or profession; or as standing in some special relation to others, as proprietor, employer, agent, creditor, or debtor. All these relations bring with them rights and duties of more or less importance.

As the number and variety of men's occupations and

pursuits multiply, the complexity of their rights and duties increase. The existence and nature of many private rights are obvious enough; and others not so obvious, become clear to the mind on considering the relations of the parties concerned. But many, perhaps most men, being slack in observing and respecting the rights of others, all men but outlaws see the need of organizing a powerful agency for the defense of private rights, by punishing trespasses against them. And this duty imposed upon society, organized into the State, becomes in time exceeding complicated and laborious.

XXII.

One necessary result of society, that is of the close and habitual intercourse of numbers, is to exhibit the great contrasts between the conditions of individuals. Indeed civilization tends indirectly to aggravate that contrast. For many have no peculiar ability to avail themselves of the advantages which society and civilization bring within their reach; while some others make the most of these opportunities. And although the tendency of civilization is to raise the condition of the whole mass of the people, it does so very unequally. Nowhere is there a closer approximation to personal equality than amidst absolute savagery. Yet, savage tribes have often died out from long-continued destitution, such as seldom occurs in civilized communities.

It would seem that, in order to attain her ends, whatever they may be, Nature works by inequalities. Perfect equality is nowhere found in her productions. Of the multitude of leaves on the same tree, no two are exactly

alike. This is not only true of Nature's productions, but it is equally true of their destinies. Of the thousands of acorns that fall annually in the forest, one may become a mighty oak. The rest are crunched and swallowed by the swine. Of the thousands of eggs spawned by the salmon on her annual trip up the river, all but one may be devoured in early youth by other fish; and the one, after escaping numberless similar perils, may attain a size and maturity far surpassing its mother's. So man, another of Nature's productions, runs many hazards: many die in infancy, a portion in immature youth, others prove utter failures later in life; many succeed in a measure, a few stumble upon great success in life. This is a wise saying wherever it comes from: "I returned and saw under the sun, that the race is not to the swift, nor the battle to the strong, neither yet bread to the wise, nor yet riches to men of understanding, nor yet favor to men of skill; but time and chance happeneth to them all."

It must be obvious to every one, that the natural powers, capacities, and characteristics of men vary greatly, almost without limit; and their fortunes quite as much; without our being able to account for these variations. Yet we see, notwithstanding, that in the midst of these fortuitous contingencies, the condition to which men attain still depends chiefly on the use each one makes of his natural endowments. Nature gives, to some, powers and capacities both of mind and body, far superior to what the average run of men receive. The result is great inequalities in talents, skill, knowledge, and acquisitions among those who make up human communities. Nature having command of boundless variety, tolerates similarity, but seems to abhor equality.

Yet she has provided laws controlling the final result

of human activity, through which the success of the more successful redounds to the benefit and advancement of those who are less so. Thus the enterprises of the more able lead them to need the aid, and engage the services of those who are less able than themselves. Moreover, she has endowed men, or many of them, with a strong propensity to communicate knowledge and skill, and to bestow the necessaries of life on the ignorant, the unskillful, and the destitute. The more gifted at least of the human races have been so constituted, that their exertions tend to the amelioration of the condition of their own race.

The comparative well-being of individuals differs widely even in the most primitive society; and the contrast in this respect between individuals, and also families, becomes more marked with each step of progress from that primitive state.

Some pious people who look beyond this life, think that this tendency in Nature to favor inequalities is only a reflection from the world above. That inequalities here are only the shadows which characterize the conditions of those who have passed away to another state of existence. Not that inequalities there are the result of the same causes as here. For looking on this life as a state of probation merely, they think that the means of man's success here, may cause his ruin there.

XXIII.

Perfectly natural causes combine to produce the result of inequality in society. One great cause is this: With the increase of skill, knowledge, and foresight in their pursuits, some men, not always otherwise the most highly gifted, acquire the art of accumulating much of the

results of their industry, or their success, in such permanent forms that it becomes wealth; not the plenty of a day, a week, or a month, but an abundance that can be kept for an indefinite time for employment in future use—that is wealth or property.

Wealth may have been acquired even before the domestication of animals; but the earliest form known to us that wealth assumed was that possessed by Job and Abraham—large herds of various cattle. The skillful, vigilant, and industrious herdsman became rich, while the unskillful and negligent herdsman continued or became poor, and perhaps was at length compelled by want to seek service with his prosperous neighbor. Nor could he justly complain of his own poverty, or envy the other's wealth.

In more advanced times wealth assumed more permanent shapes than that of the flocks and herds, which so suddenly failed patient Job—the shape of improved and cultivated lands, useful and costly buildings, and other durable results of labor, foresight, and economy.

We have already named the two great motives that prompt men to industry and providence: the desire to better their own condition, and the instinctive anxiety to provide well for their offspring: to advance them permanently to a better condition than they themselves had formerly occupied, and in which, perhaps, they had suffered many privations. We believe that this last instinct has been, both directly and indirectly, the chief agent in raising men above barbarism, and has built up civilization.

This trait of character, providence for our offspring, is most strongly marked among the higher races of men, and especially in the best specimens among them. In

fact, if all races spring from one source, as to parentage, this trait probably originated the higher races which we see predominating in the world. It is characteristic of these races, not to be absorbed in the present, but to feel much interest and to give much thought to the past and future; this interest being most commonly exhibited in inquiries into the history of their forefathers, and in anticipations as to the prospects of their descendants. Looking back and looking forward in time is characteristic of the higher and more gifted races of men.

Much as they cling to their hardly earned acquisitions, many of them readily part with no small portion of their gains, to enable their children to start in life from a higher intellectual level, and to fit them for a higher social position than they themselves ever reached.

This introduces a second cause of social inequality. For these provident parents are, as a class, intellectually and morally, superior to and more energetic than the average man; and, in spite of the many startling exceptions to the truth of the maxim that "Like begets like," that maxim has a broad foundation in truth, not only as to physical but as to mental and moral qualities. And in this case the general result is, that the difference in the conditions of the various classes of men is widened, not merely by the success and advancement of some capable men of one generation; but, in many cases, by the success and advancement of several generations of capable men, each generation successively starting from the vantage-ground of wealth, inherited culture, social position, and family influence, to which it has been raised by its predecessors. The truth is that, in more than one sense, inheritance lies at, and is the foundation on which civilization has been built up.

Nothing has tended more strongly to raise the general condition of men in intelligence, morals, manners, and general well-being, than the existence of classes, raised above the necessity of daily toil, or engrossing care to supply their pressing wants, having leisure and means, and many of them a craving for higher occupations.

With intellectual races, idleness, if not the mother, often proves the grandmother of mental progress. Leisure affords the opportunity of acquiring a higher education, and has been the chief agent in extending knowledge and skill, and in the cultivation of art, science, letters, and philosophy.

Society never rose above barbarism where there were no men of leisure and means. Wealth and culture possessed by individuals have originated and sustained most of the enterprises beneficial to mankind. For, of necessity, the benefits of these acquisitions by and to individuals for themselves, by a law of Nature's providing, gradually extend themselves throughout society. It is this provident law that creates the only "Socialism" that Nature tolerates.

XXIV.

The two instincts to which we lately referred have been at work ever since men have existed. Man's craving to better his own condition, and, yet more effectually, his desire to provide for his offspring, and to advance them to as good and even to a better condition than he himself had experienced. These constitute that double foundation on which civilization and all human progress have been built. Like exogenous plants, human nature has two prolific shoots, two vigorous instincts from which

have shot up human society and institutions in the best forms in which we have yet seen them. In fact, there are no other sources from which they could have originated and continued to thrive.

And although the first of these instincts is but a narrow selfishness, and the second a widening selfishness, which embraces, not merely ourself, but that which springs from us, as the branch from the tree and the leaf from the twig, Nature has provided that that very selfishness, especially in the latter form, should result in widely expanding benefits to mankind. For she has further created the necessity that men should obey the social instincts that lead to the formation of society; and, morever, has made it impossible for men in society permanently to keep their acquisitions in skill and knowledge, and the results from them, exclusively to themselves.

We may observe of the latter instinct, that man naturally craves an heir to his acquisitions of every kind. Moreover, we often see those who have lost their children, or never had any, as devoted to nephews and nieces, or to grandchildren, as if they were their own immediate offspring. So strong is this craving to occupy the parental relation, that many childless people adopt the children of strangers, and not seldom very foolishly, without regard to the parentage of the adopted; forgetting that traits of character are very often inherited, and that estimable people will seldom part with a child, however many they may have.

What is termed "bad blood" expresses in two words a long-observed truth. Yet we have more than once known very reputable, and, apparently, not otherwise foolish people, adopt the child of a notoriously unprincipled and profligate parent, chiefly because the child was

attractive in person and ways, and the parent ready to make a formal transfer of his or her right in it.

These adopters in the end have, not seldom, reason to be thankful that they can say truly, what Shakespeare's Leonato regrets he cannot say, when he discovers the supposed abandoned character of his daughter Hero:

> "Why had I not, with charitable hand,
> Took up a beggar's issue at my gates,
> Who, smirched thus, and mir'd with infamy,
> I might have said, 'No part of this is mine,
> This shame derives itself from unknown loins.'"

In such cases of ill-considered and unwise adoption as we have referred to, the adoption is often concealed from the child, and also from the associates of the adopting parties. A very unfair thing to them. The child is given, to recommend it later in life, all the sanctions of the good character and position of its supposed parents. Let us imagine that Leonato *had* adopted some vicious beggar's brat, and that Hero *had* been justly charged with her dissoluteness. To what a fate had Count Claudio been betrayed by Leonato's imposition! For, in truth, we have usually made a long step toward knowing a person's true character, when those of his or her father and mother are known to us.

To our mind, the instinct which Nature has stamped on us (so strongly on some, so weakly on others) to task ourselves through life for the benefit of our offspring, proves a great deal. Not only the right of inheritance in the offspring, but the right of the parent to choose his heir, at least, from among them. Moreover, this disposition to adopt children by childless people seems to be an instinct peculiar to the human family, although do-

mesticated animals can be trained to adopt offspring not their own. From this provision of Nature as to adoption, which amounts to a craving with some childless people, we are disposed to infer that the right to bequeath property, especially with childless people, is strongly founded in nature.

We greatly err, if the French law as to inheritance of land does not outrage the right of the landholder. No matter how he may have acquired his land, or how he may wish to dispose of it, on his death the law steps in, and divides his acres equally among his children.

This provision originated in a political policy, at a critical time. After the revolution of 1789 large estates, covering half of France, were confiscated and divided. In framing the "Code Napoleon" it was thought that the more the land was cut up among landholders the more difficult it would be to bring about a counter-revolution, and to restore the old proprietors and the old Government. This policy is still in high favor with the Government and people, from the conviction that where there are no large proprietors a class is got rid of who influence the people, and might oppose the Government. The policy and legal tendency is now to cut up France into potato patches and cabbage gardens. No proprietor shall influence the vote of universal manhood suffrage.

We believe that as long as the French hold on to their present law of inheritance of land and their universal suffrage, they will have out two heavy anchors mooring them to an unstable and unprosperous political condition, with a perpetually recurring revolutionary ferment and agitation.

XXV.

On what solid foundation can we build up the right of private property in an individual, to the exclusion of all other persons?

Each person, who is not idiotic or imbecile, has been endowed by Nature with some share of physical, intellectual, and spiritual energy, which is to serve his purposes during his natural life. We may assume, since Nature has given these energies to him, that they are his, and belong to no one else. The amount of these energies not only varies greatly in different persons, but they may be wasted, misused, or perish for want of use. We can do nothing through life without expending some portion of them; and we sometimes expend them prematurely. In the expenditure of them our moral responsibility chiefly lies. By judicious use and husbanding of them, they usually last as long as we last, and expand beyond our first estimate of them. They are the important part of ourselves.

Whenever a man has expended a part of these energies, either physical, intellectual, or spiritual (usually he expends them simultaneously), in adapting to his own use some part of the crude basis which Nature furnishes for us to work on, whether the basis be material or immaterial—that is, ideal; whether it be matter, or the laws governing matter, or the faculties of the mind; if another deprive him of the results of his labor and ingenuity, he is robbed of a part of himself, which he put in his work.

This is equally true, whether the result of his labor take a material, or a purely immaterial and ideal shape: whether, on the one hand, he build a house or a ship, or

inclose, clear, drain, and cultivate a farm; or, on the other hand, whether he make some new and useful invention in mechanics, science, or art; or compose a poem, a book, or a picture, which gains popular favor—so that other men derive pleasure or instruction from it; and are willing to pay something rather than not enjoy the use of it. In each of these cases he is equally entitled to the benefit that may be derived from the result of the labor and talent he has expended on it.

But where the result of his labor is inseparately joined to a material form, as the house, the ship, or the farm, it is much easier to secure to him the benefit from his property, on which he has expended, perhaps, a large portion of his energies—that is, of himself—than in the case in which he has expended them on the production of an ingenious invention, or on a popular poem, or book, that might be a source of profit to him. Ideas are immaterial; and however much labor and time may have been expended on them, any one that has access to them may copy, and carry them off. But in either case, whether the product be material or ideal, the producer has the same right to demand from the community which professes to protect his rights, all reasonable vigilance and diligence in the protection of those rights, the results of his labor, whatever may be their nature. For they can be identified as his, and no other man's.

Who will deny the obligation on the Government under which a man lives, to defend his material property from robbery, and his character from defamation?

Is it less bound, or is it difficult or impossible, to protect his immaterial acquisitions, when made accessible to others? In the case of purely intellectual property, all that should be required of the producer, is that he should

furnish proof that it is his own, and that he intends to retain his property in it, and not give it away to the public.

It is this vast but gradual accumulation of acquisitions of all kinds of property, material, and, yet more, intellectual, through past ages slowly disseminated throughout civilized countries, which has raised these countries to what they are.

All that governments can do to promote the development of human capacity, is to protect individuals in the free exercise of their powers, and secure to them the enjoyment of their acquisitions. But the best governments that have yet existed, by intermeddling with matters foreign to their duties, and by neglecting duties truly incumbent on them, have often marred and defeated the provisions Nature has made to enable men to elevate themselves, and indirectly, but surely, their fellow men.

As to property in land, we need only say—every country, in which land has not been appropriated to the exclusive use of individuals, has continued in a state of barbarism. This barbarism has been the most absolute where proprietorship by private persons was least known. It diminished under village proprietorship, and even under nomadic pastoral life—when local right of pasture is claimed, and acknowledged, as with the *Mésta* in Spain. But it never disappears, except where the title of individuals to the exclusive use of most of the soil is fully established, and recognized by the law.

In every populous country the law has rigidly protected private rights of property in land. Without this rigid protection of private property in land, no country ever became densely peopled. Thence we infer that without this rigid protection of private property in land,

the bulk of mankind would never have come into existence, to complain of being robbed of their share of Nature's bounties.

To whatever pursuits men devote their talents, industry, and enterprise—whether to farming, or mining, or manufactures, or commerce, or navigation, or professions such as law, medicine, or civil engineering, etc.—the ultimate shape which they naturally seek to give to the results of their success, as a provision for themselves, and for their families after them, is property. And where their success has been great, it usually takes the form of landed property.

This is a wise, although worldly prudence, without any taint of criminality about it, unless we can trace that in the means and the arts they used to acquire wealth. Even in those cases in which we are disgusted at a selfish anxiety to accumulate; as long as it keeps within the bounds of honesty and fair dealing, we must admit that men have a perfect right to earn and to save; and must see that the wise providence of Nature has made it difficult for the most selfish man to acquire riches, without giving increased and profitable employment to those who need it. We may despise the agent, but we must approve of the result.

XXVI.

All value and utility is the result of the industry and skill of individuals applied to the crude materials furnished by Nature, which thus become property in private hands. It is not difficult to form a clear conception of most private rights, nor to perceive the need of some powerful protector for their defense.

But with this protector, the State, another class of rights come into existence, and obtrude themselves on our attention. Their nature and extent are not so easily defined and limited. They are called "Public Rights."

It is evident that there was a time when the State, as such, did not exist; that it must have come into existence after individuals had acquired some rights for themselves, and, probably, after society had made some progress toward a community. For the State originated in the feeling and experience of the members of this community, probably in its infancy, that each one needs some protector to his rights, both original and acquired; and in the instinctive conviction that this protector must be found in a union, for the purpose of mutual defense; and in the organization of the strength and resources of all the individuals having social relations and intercourse with each other.

We may say that the political body, in its origin, grew out of an incorporeal abstraction, an ideal but crude conception, suggested to individuals by their dangers, fears, and self-seeking needs. To a great extent it is still so. For the State has no personality. It can produce nothing; it can create no value, and acquire no property, but through the agency of individuals. It cannot even take counsel or action but through the same agency. And it cannot command these services without means and value wherewith to maintain its agents. And these means can only be obtained through the contributions of individual members of the community.

The State, in itself, being impersonal, cannot [illegible]ar fields, grow crops, build, or manufacture; or even make laws, or administer justice, but through the agency of individuals, employed and maintained through the means

supplied by other individuals. In short, it is only an incorporeal trustee of whatever it holds in the hands of its agents, for the benefit of those who have contributed to its resources and means of action.

But as all private rights are in constant danger of violation, until some powerful agency is organized for their defense, all who feel that their rights are in danger, readily unite to contribute, each some of his private means, or of his personal resources, to enable the newborn State to enter on its duty of protecting the rights of each and all in the community.

The State exists only to serve the purposes of the individuals, not the people to serve the purposes of the State. In short, the State, and the government, which is but the organized agency of the State, grew naturally out of the needs of individuals, each seeking security for his own private rights.

And although, historically, the origin of the State, with its government agency, is remote and obscure; and its development and complexity have been of gradual growth, from the increasing multiplication and more complex nature of the rights of individuals; we have no reason to think that the original, primitive end and purpose for which it came into existence has changed. Its simple and single object is still the protection of private rights.

"Public Rights," or the rights of the State, unlike private rights, have in themselves no original source of existence. In their nature they are altogether derivative, springing from the necessity that individuals feel that in order to secure these private rights, they must furnish the means with which the State shall oppose and contro wo evils incident to human society:

1. The violation of private rights by evil doers within the pale of the community.

2. And by foreign enemies from without the pale of the community.

In order that the State may have the means of administering justice between individuals, and of preserving order in the community, it must have the command of some persons, efficient in body and mind, and some material means for their maintenance, in return for their services. To enable the State to repel the assaults of enemies from without, it needs the services of a great many more, and very efficient persons, and very abundant means for their support, and moreover for their equipment and employment. The State must thus organize two special agencies: one for the administration of justice at home; the other, for the defense of the community against foreign enemies.

In primitive times the mode of proceeding was simple enough. If the local chief or magistrate, in any part of the country, needed an assisting force to arrest offenders, and bring them to justice, he had recourse to what we may call a *posse comitatus*, summoning all the able-bodied men of the neighborhood to give loyal aid in enforcing the law. If a foreign enemy crossed the frontier, or threatened attack, the head of the State summoned all able-bodied men to join him in arms, to assist in beating back the enemy. In these short campaigns, usual in early times, each man was expected to provide for his own subsistence for a time, or the seat of war furnished it.

But the simplest and most economical government is a very costly thing; and can be maintained in efficiency only by much personal service, and the expenditure of a

large amount of valuable commodities. Thus, in time of war, when such provision is not fully made beforehand by the State, its army eats up and desolates the province it undertakes to defend. However costly these preparations for defense may prove, as without them there would be no security for either the personal or proprietary rights of any one, it becomes obviously necessary that all in the community should unite in the surrender of some part of their property, their personal service, and their natural liberty, to furnish their common agent, the State, with the means to defend the rights of all and each one. This is the motive which induces mankind to call governments into being, and to support them. They burden themselves with the cost of maintaining a government, in order to escape yet greater and more intolerable evils.

It is probable, nay obvious, that in primitive ages, during the infancy of the arts, mankind were represented only by small and scattered tribes; having little intercourse, and, perhaps, no permanent connection with each other.

Yet we have monumental evidence of the existence of great nations, at periods to which we cannot go back in history, embracing millions of people, with great cities, flourishing and perishing in times so remote, that their language, and even some of their arts, have been lost; and the skeleton of their history can only be put together by a careful study of monumental fragments, eked out by old and doubtful traditions.

But until many of the arts have made great progress, no country can sustain a dense population, still less build up the great cities, whose multitudes and magnificence are proved by still existing ruins.

XXVII.

By what influences were these scattered tribes gradually aggregated into nations? The first and chief agent was War; the second was Commerce.

We can easily imagine a probable case, in the most primitive times, in which war would at once lead to the first step in aggregating separate tribes into one body. An aggressive tribe harassing and attacking its neighbors, would awaken their animosity, and, if strong, would endanger their safety. The natural feeling that "*The enemy of my enemy is my friend*," would at once lead two or more tribes, so harassed, to make a close alliance for mutual defense, especially if they were cognate in race and language. It might soon lead them further into making active war against their common enemy, in order to extirpate them, or drive them out of their neighborhood.

The fact of having thus acted together successfully, secured their safety, and exhibited their united strength, would confirm their union, and, moreover, tempt other cognate tribes to join them. The successful leader, in the defensive-offensive war, would probably become the head chief of the confederated tribes; which, by community of language, of interests, and free intercourse and inter-marriage, would gradually lose sight of tribal distinctions, and become one community.

The aggressive and defeated tribe, if not extirpated, would seek allies to unite with and strengthen it. Soon there would be two somewhat numerous communities, hostile to each other, each seeking to strengthen itself by drawing into its alliance all the tribes within reach; and

there would be neither peace nor safety for anybody, in that region of country, outside of these two confederacies.

If these rival communities differ in race, language, customs, and religion, their habitual, or at least frequent relations, would be those of war.

We have, in the dawn of history, an example of this, in the prolonged struggles between the Aryan and the Turanian populations in the north of Persia, and in the countries to the east of the Caspian Sea. The former were even then an agricultural people, the latter continued to be nomadic herdsmen. Nor has the contest ceased to this day. For the Turcomans, a branch or remnant of the Turanian family, continue their inroads upon, and their robberies of, the settled population near to them, and lose no opportunity of plundering the caravans that pass within their reach.

As a common danger first taught men to value and seek union and combination for mutual defense; so more frequent, numerous, and long-continued dangers, from more powerful enemies, led to further and more complete unions—which, outgrowing the early and simple tribal organizations, became States; the more readily when a cognate origin and language suggested this union, which thus made up a true and natural nation, springing up by the re-union of kindred tribes. Thus, while society, in its simply social sense, arises from the social instincts of mankind, political communities originate from pressure from without, acting on the selfish instincts of men.

In such cases, the actual conquest of a tribe, or of a province, if the people be cognate to the conquerors, often results in its indistinguishable incorporation with

them; which rarely happens when the race and language of the two are different. In that case the vanquished long continue to be, in fact, if not in law, a subjugated people.

It is very difficult to trace and estimate the number and variety of evils springing from the attempt to bring about the political union of discordant materials. Even when the union of different races into one nation occurred in very remote times, there seldom is a thorough intermixture of races; and the widely differing mental, moral, and physical traits distinguishing individuals, families, and classes in modern society, are largely due to this cause: difference of race. There is, at this day, no country in Europe in which such differences cannot be traced to this source.

In many, perhaps most countries, we find proofs of the fact that the ruling class were of a different, and generally, superior race to the mass of the nation. It was so in ancient Egypt, and is still in modern Egypt. In India, stratum after stratum of the population, to this day, easily distinguished as the offspring of successive races of conquerors, lie one over the other. In Russia the Scandinavian and the German elements overlie the Sclavonic. In France the Franc and the Burgundian invaders originated the ruling classes; and after the lapse of more than thirteen centuries, the traces of this conquest were still so obvious, that Napoleon Bonaparte once characterized the revolution in France in 1789 as the insurrection of the *Gauls* against the *Francs*. In Ireland the Normans and the Saxons, and their descendants, have, for near eight centuries lorded it over the Celts; who derive their language, and their civilization, such as it is, from the conquerors whom they still call Saxons (the more numer-

ous body). Indeed, it does not appear that the Irish ever were one nation, but a number of tribes, or petty principalities, ever warring with each other, until that conquest in the twelfth century. But for that conquest, possibly they might never have become civilized. The above examples show the extreme difficulty of amalgamating people of different races into one nation.

XXVIII.

We believe that this evil: incongruity of race, disappears, often by a summary process, in the following cases. When a civilized people have taken possession of territory hitherto occupied by savages, they have never yet succeeded in imparting their civilization to their new subjects. These may, for a time, form a lower class, within the pale of their civilization; but they do not become imbued with its essential characteristics; but merely put on some of its externals as a garment.

In most cases, these savage races have simply died out before the conquerors, leaving their country to the intruding strangers. For with many races of men, civilization and extirpation have proved, and are now proving, synonymous. The only safety any of them have ever found is, occasionally, in the inveterate hostility of their climate to the invaders.

Such is the fate of the North American Indians, of the Maoris of New Zealand, of the blacks of Australia, and of the natives of most of the islands in the Pacific Ocean. Such is the process now going on in South Africa—with the Hottentots, Kaffirs, and other races.

But the negroes of middle Africa, as far as we yet know, seem to afford the only exception to this result.

Hitherto their malarious climate has protected them from extirpation. And in consequence of a forced emigration, the only emigration known to their race, they seem to have survived and thriven better abroad in slavery, than at home. For most of them have always been slaves at home—to masters black as themselves. It is only after this forced migration that they have ever been induced to put on the garb of civilization. But, low as is their intellectual capacity, they have proved themselves, the most imitative of races, in copying the manners and habits of their masters. Yet when left to themselves, they show a strong disposition to strip off this garment. For civilization hampers them sadly.

A noted author who died some years ago remarked, "I am not sure that any nation has a right to force another to be civilized." But civilized nations do not seem to have entertained this doubt. Indeed, the nation, which profess the highest civilization, the greatest humanity, and the most scrupulous respect for the rights of other peoples, has been the most active and unscrupulous in attacking, not only rude and defenseless tribes, but even great nations, which were easily and safely assailable; seizing on their territory, or parts of it, under the plea of civilizing them. Whose greed and hypocrisy was it, that strove to force opium and Christianity on the Chinese at the cannon's mouth? They succeeded with the opium, but failed as to the Christianity. They are still making all they can out of their partial success, to console themselves for their partial failure.

It has been said by some progressive people, who are looking for the perfectibility of man, through their material and mechanical advance in the arts, that Nature intended the surface of the earth for cultivation; and

that savages, who do not cultivate it, merely stand in the way of those who would. That the savage, in short, is a nuisance which ought to be abated.

This plea, lame as it is, would not justify many acquisitions of territory, made by civilized nations, from savage or barbarous tribes. For instance, it does not justify the later British acquisitions in South Africa: where the country is best and chiefly suitable to pastoral industry, and was already well stocked with the well-tended herds of the Kaffirs, and other native tribes. But when we find that not a few of these herds have been driven off, and the herdsmen exterminated, or extirpated, to make room for the most frivolous of all industries, the rearing of ostriches, solely for their ornamental feathers, to gratify the vanity of dress-loving women, thousands of miles away from the evicted and starving Kaffir herdsmen; we are disgusted at the falseness of the plea for robbing them of their pastures.

The best apology for the civilized conquerors of the territories of savage and barbarous people, is that these people, even more than the civilized, acknowledge no right but that of the strongest. They, especially, obtained and maintained possession of their territory by violence and outrage against others. That is their sole right and title.

Much as the Spaniards have been abused and denounced for their rapacity and tyranny while in possession of Mexico for three centuries; their conquest of it was fully justified by the fact, that it was the only way to put an end to the horrid human and cannibal sacrifices of the Mexicans, with their annual tens of thousands of victims. They actually seemed to have fattened slaves, in order to eat them.* So with the English conquest of North

*Prescott's Mexico. Book 1. Ch. 3d. pp. 24-5-6-7.

America. They merely exterminated tribes chiefly occupied in extirpating each other.

We need not further discuss the right of civilized peoples, to enter upon the regions, roamed over, rather than occupied by savages. It is plain that the latter are outside of the institutions of these civilized invaders. Until incorporated with them, they are outlaws as to civil rights. Our aim here is to trace the position, relations, and civil rights of those, who are acknowledged members of a political community.

The general result of war has been, not only to mould and weld many small communities into fewer and larger States; but to extirpate, or to subject the inferior families of mankind to the widening dominion and the multiplying numbers of the higher races. It is a common mistake to suppose that the civilization of the latter has been the source of their superiority and their success. Their civilization is but one of the results of the higher endowment their race received from Nature. *Institutions do not make races, but races make institutions.* We have no proofs that the more highly gifted families of mankind, which have taken the lead in attaining to civilization, and in acquiring wide and durable dominion, ever were similar in their natural, constitutional, endowments, to the savage and degraded races, yet to be found in various parts of the world.

War is simply one of the necessary evils attendant on man's condition and nature; but it is only one of them. And although the most obvious, it is not necessarily the greatest that can befall them.

Notwithstanding the immediate effects of war; the violent death of many, and the ruin and desolation of more of its victims; it often, in its ultimate effects, pro-

motes the civilization and the well-being of mankind. It greatly stimulates enterprise and the inventive faculties, and develops the energies and resources of a nation.

As long as human nature retains its tendencies to vice and corruption; a permanent cessation of all wars might utterly enervate and corrupt the race, substituting meaner vices for the more violent impulses which urge them on to warlike enterprises.

There are other great evils which prevail in time of peace. The corruption of many, and the ruin and desolation of more persons, through the numberless wholesale rascalities, commercial and financial, of the last forty years, equal the evils of many a war. Who can measure the sufferings and misery caused by the potato rot in Ireland in 1846? Or by the famines in India, China, and Brazil, within twenty years? Or by the plague in former centuries, or the Asiatic cholera in this century? Or by the Reign of Terror in France—or even by that of the Commune in Paris? Even the excessive overgrowth of a needy population, which often shows itself, is a greater and more enduring evil than many a war.

It is certain that war, in all ages, has been ennobled by the spirit of self-sacrifice which men have displayed, on occasions calling for, and justifying the sacrifice, beyond almost any other emergency to which society is liable.

We believe, in short, that war often takes the place of, and supplants other evils, quite as malignant and more enduring than itself; and that an occasional alternation of peace and war is the natural condition of human communities.

XXIX.

Next to war, commerce has been the chief agent in building up States, and in promoting civilization. The two have co-operated with each other, not always walking hand-in-hand, but alternately urging on the same result.

Commerce at once increases the demand for the productions of industry, varying and multiplying their forms; and at the same time drawing from a distance to one point, the necessaries of life; thus enabling multitudes to live in close neighborhood with each other. This disseminates and increases knowledge — promotes skill in the arts, unites the strength and resources of numbers, creating thus a powerful political community: which gradually extends its influence, its language, and its rule over a wide region of country around it.

As nothing can successfully resist the encroachments of a great State, but the power of another great State; it is not surprising that in primitive ages, any community which, through the accidental concurrence of favoring circumstances, attained to considerable eminence in population, arts, and knowledge, should be able, not being hemmed in by powerful neighbors, in a few generations to extend, first its influences, then its rule, over a wide circle of tribes and territories around it—and become, under able and enterprising princes, an empire covering an hundred provinces.

But any true history of the origin and progress of political society, would embrace, among other series of developments, a long and shocking detail of crimes by communities against communities and individuals; and of

individuals against others, and against communities. The history of men and of society is largely made up of the history of crime; showing how much mankind have misused the opportunities Nature has put within their reach.

Yet all the injustice, treachery, and cruelty, recorded and unrecorded; which even when known to us, fails to offend our better instincts, misled by passions, prejudices, and interests, do not prove that there is no such thing in Nature as justice, truth, and humanity, binding at once persons and on States.

But this is beside our inquiry into the provision Nature has made in man's state and constitution, to enable him to raise himself and his race above their primitive condition.

XXX.

Wherever mankind have succeeded in raising themselves above their primitive condition, it will be found that this has been brought about by two causes:

1st. That the people of that community, or most of them, or the ruling class at least, belong to one of the higher races, and—

2d. That they have been, in a great measure, unobstructed by political and other influences, in their efforts to better their condition, and in the enjoyment of their acquisitions.

The work government has to do—administer justice between individuals under various and complicated circumstances; and to secure the community and private persons from wrongs by foreign aggressors—is quite sufficient to engross the agency of the State, without thrusting other duties upon it. Its two duties in pro-

tecting rights, are both of a negative character, consisting simply of the prevention of wrong.

It is no part of the duty of the State to feed the people, or clothe them, or house them, or teach them their trades, or to bestow on them any bounty. It has been said that the aim of governments should be "the greatest good of the greatest number," a most misleading and mistaken maxim, originating in a false conception of the purpose of government, leading to the grossest fallacies —to the usurpation by the State of a number of duties and prerogatives quite foreign to its true end, which is not to take parental control of the people, in order to do them direct good, or bestow any bounties upon them —thus teaching people to expect the State to do something more than protect their rights—to transfer to them some part of the advantages and rights others have acquired for themselves—to turn to the State as their parent and patron, to which they must look for the benefits they enjoy, thus misleading and corrupting them. The only benefit the State can bestow on individuals without robbing other individuals, is securing to them their own rights.

We have already spoken of "public rights" which are inseparably connected with public duties. It is evident that, unlike private rights, what are called "public rights" have, in themselves, no original source of existence. In their essential nature they are altogether derivative. Until society is organized, public rights do not exist, but many private rights exist before that. The public rights can only draw their existence from the great mass of the rights of individuals. If there were no such things as private rights, public rights never could have came into being. Nay more, until we have

acquired clear conceptions of private rights, and of their need of further protection than that of the person to whom they belong, we could not conceive of any public right whatever.

In all our reasoning as to "public rights" we start with minds saturated with convictions as to a multiplicity of rights vested exclusively in individuals. Public rights are merely the reflections or representatives of this great mass of private rights. To create public rights a portion or percentage of rights must be advanced from private sources, as a premium for the insurance of the great mass of rights remaining in private hands. "Public rights," in short, are the sentinels drawn out from the ranks of the great legion or phalanx of the private rights of the members of the community, and posted around them to mount guard for their safety.

That such is the origin and nature of what are called "public rights" will be evident, when we inquire what are the resources at the command of the State, which constitute its rights and resources. These consist, substantially, of its command over private property, and its command over personal services. We will speak first of property.

All value and adaptation to utility is the result of the industry and skill of individuals, applied to the crude materials furnished by Nature; which thus becomes property in private hands. The State having, in itself, no personality, being in fact, an ideal conception, generated by the selfish needs of individuals, can create no value, acquire no property, nor act in any way, but through the agency of individuals; and it cannot obtain these services until it has the means or value, wherewith to maintain those it seeks to employ.

But the many possessors of private rights, being all in urgent need of some powerful agent for the protection of those rights; each one is stimulated to contribute something of his private means, or of his personal services, to enable the State to fulfill the duties imposed upon it, as the protector of the rights of all and each one in the community.

Whatever form this protecting agency may assume, and however wide or narrow the community and the territory under its jurisdiction, if it is to protect all who live under it, it must be furnished, by the persons who make up the community, with the means of so doing. If it is to administer justice, it must have judges, sheriffs, and many subordinate officers, and all the means needed to bring litigants, offending parties, and witnesses before its courts, in order to decide the cases between them; and, in criminal cases, for the trial and punishment of offenders. This regular administration of justice requires not only that the State should have a revenue to meet large expenditures, but it must have also some fixed possessions—landed property and costly buildings, court houses, jails, record offices and the like, in various parts of the country.

If the State is to protect every one, in every part of the country, it must have easy access to every part of it. And the people must have free access to the Government, and to every part of the country to which public duty may call them. This makes it necessary that the State should acquire, and keep in its hands—as public property—the strips of land needed for making convenient public roads wherever they are wanted. The king's highway must run throughout the length and breadth of the land. Moreover, such roads are needed for the intercourse and commerce of the people with each other.

If the State is to protect and defend the community, one and all, against inroads and assaults by foreign enemies; it should acquire and hold those local positions in the country, of especial strategical value for preventing such attacks and inroads—and for preparing and preserving the means of defense. For this reason the State should acquire and hold the sites most advantageous for fortresses, arsenals, navy yards, armories, magazines, and barracks, and other military and naval stations; as a timely preparation for fulfilling the duty of defending the country. Many great nations are under the constant necessity of maintaining, at monstrous annual cost, a numerous army, and strong navy, besides all the subsidiary establishments needed to keep both in effective condition.

The State being charged with the great duties of administering justice, and of defending the country, will not only need a head; but also, many other high officials, intrusted with the superintendence of various branches of the public service; and it must make provision for maintaining all these officials in a style suited to the importance of the positions they hold. The State that starves its officials, causes them to plunder the people, and defraud the State.

Moreover it must have a seat of government, offices for the transaction of public business, and for preserving records. It must have a parliament house, a suitable residence for the head of the State; perhaps for many others high in office. It must have a treasury, and probably a mint. We need not undertake to enumerate everything of this kind it must have, nor fix a limit to the cost. It is obvious that the State, in order to perform the functions for which it exists, must not only receive a large revenue, but it must become the possessor of landed

property; often itself of great value from its natural advantages; and improved at great, often enormous cost.

XXXI.

Thus the State must become a proprietor. Yet, every penny of its property originated in, and is derived from the earnings of the industry and skill of some private person. In all its expenditures it is spending the people's money; that is, the money of those of the people, who, not consuming all they earn, have a surplus fund, out of which to pay taxes.

But the State holds its property by a different title, and for a different purpose than that, by, and for which, individuals hold theirs. All their property is the result of the industry, skill, and economy of individuals, either the present owners, or acquired by them through inheritance, bequest, or purchase, from those with whom it came into existence, as property; and they hold it for their own use and benefit.

All that the State possesses of revenue, or of property, is derived, directly or indirectly, from the industry and enterprise of individuals, usually contributed in the shape of taxes, sometimes of personal service; the object of these contributions being to enable the State efficiently to fulfill its duty in protecting private rights. The State is merely a trustee of all that comes into its hands; the beneficiaries are the persons who make up the community, and more especially those who support the State.

It is no more true that the acres which make up the territories of a country belong to the State, or to the na-

tion considered as a mass or unit, than that all the horses, cattle, household stuff, stock in trade, tools, or money in the country, belong to the State or people *en masse*. *A nation is a unit only for the defense of its component parts.* All these things, both land and movables, are the acquisition of individuals, often got at great risk and toil; and continue to be private property, except that small part which the State must acquire and keep in hand, to enable it to protect the community considered in their individual capacities.

If it were true that the State, as a unit, had a right to divide these things equally among all the members of the community, whenever it pleased, it must be obvious to all reflecting persons that this measure would put a stop to all far-reaching industry; or, at least, to all economy in using that which was produced, and effectually ruin the prosperity of the country. It would amount to a sort of national suicide.

But it is to the benefit, and for the security of every proprietor of rights, that the State should be authorized, especially in sudden emergencies, to take possession of anything in the country, the use of which is essential to the defense, safety, or good government of the community; the private owner thus stripped of his right, being entitled to full indemnification, by as good title as other owners have in their property, which they have retained.

Thus the spot occupied by a private house may become essential for the site of a fortress, for the defense of the country; or of some important part of it, as a city or a harbor. The State may force the owner to sell it, but he is entitled to a full and liberal price, to be measured rather by its value to the State than to the owner. A

court-house or a jail may be needed, and no fit site be vacant. Here again the State may call on the owner to sell, on similar terms, to facilitate the administration of justice.

In time of war a farmer's corn, hay, and cattle, may become essential for the feeding of troops and their horses; the State has a right to purchase these things so needed, but the farmer must be no loser by the sale. These transactions are not more for the security of the owner, thus compelled to sell, than for that of the rest of his countrymen, who remain undisturbed in their possessions. The latter have no right to throw a loss on him, to secure their own safety. Every man in the country is the debtor, or the robber, of the proprietor thus devested of his property by the State, until he is fully indemnified. This is true as to all private property taken for the use of the State, under the pressure of any assumed necessity, whether for the defense of the country or for any other public purpose.

When a proprietor is forced to yield up a part of his land, for public use, as for a highway, the State, possibly, may justly take into consideration any greatly increased value of the remainder, accruing from the new use of that part which has been taken, in abatement of the price paid to the proprietor. But the exercise of this power is dangerous to private rights.

We should never lose sight of the fact that all property, and all value of any kind, which the State can acquire, is derived, directly or indirectly, from the industry, enterprise, and skill of individuals; and that the State has no right to exact from them, and to retain in its own hands, more than is necessary to enable it to fulfill its functions, as guardian of private property and private

rights. The State exists not as an end in itself, but merely as a means, for the attainment of an end—the security of private rights.

XXXII.

How, then, has the misconception arisen, and grown into a conviction, in not a few minds, that what we call "public rights" are not derivative, but original in their nature, springing from some source within themselves; and that they are sacred in their character, beyond private rights?

Political communities, both great nations and little States, have often been brought to such perilous extremities, by lawlessness within, and hostilities from without, that it became impossible to fix on any ratio between the private rights men should retain in their own hands, and those they should contribute for the maintenance of the power and efficiency of the State.

Returning to the use of the figure of speech: that public rights are sentinels, drafted from the ranks of the great phalanx of private rights, and posted around it, to keep guard against the attacks which may be made upon this great body. The danger to the latter may become so urgent, that strong detachments have to be drawn from the main body, to form outposts to support the sentinels. The urgency of the danger may so augment, that the use and command of the bulk of all private rights and personal services may be needed, for a time, perhaps a long time, to protect and preserve the existence of any private rights whatever. In this case the phalanx of private rights becomes utterly broken up, the

organization is reduced to a mere skeleton; and it becomes difficult, perhaps impossible, to refill its ranks and restore its order.

Thus civil society, not only in small communities, but even in great States, has often been in such danger of utter ruin and disintegration, that no government but one of the most energetic, concentrated, and absolute character, and possessed of the most ample means, can provide for its defense and safety.

At some period or other of its history, almost every nation has experienced this disastrous condition of its affairs, often more than once, and for long periods. These precedents for the extreme powers and exactions of government are not soon forgotten by either the governors or the governed. The latter become used to exactions and restrictions. The powers of the State are wielded by men in office; and it is the nature of men, in power, to grasp at more power.

Thus all governments have an innate tendency to exalt their prerogatives, to swell their powers by claiming larger means of action, and by usurping new matters of jurisdiction; until many people have been gradually led to believe that they themselves derived their rights through the grants of the very government, which exists only by the contributions men have made from their private rights, in order to bring into existence and equip the State, for the protection of all private rights, which have been acquired, nay, created, without any aid whatever from the State.

While new generations have been growing up under this unnatural condition of the country; so far, in some cases, have these abuses been pushed by the governments, so grasping have been the usurpations of those who ex-

ercised the powers of the State, that these powers and prerogatives seemed to have no limit; and it appeared doubtful whether anarchy and general robbery would be more intolerable than the rule of the great robber, originally established and put into office, to prevent the very evils it was now perpetrating.

We will give an example of this wholesale robbery and perversion of what is, perhaps, the most important right men can acquire.

In what is now known as British India, although, in that immense and populous region every field had been brought under culture, and acquired its value and utility from the enterprise, industry, and skill of individuals; it had become the law of the land, under the Mogul dynasty, that every acre in the peninsula was the property of the Great Mogul, and every occupant of land was his tenant at will. And since the conquest of India by the English, British lawyers have strenuously maintained that the Mogul rule of tenure was the fundamental law of the land; and the Government has practically acted on that assumption. The land tax has, in many cases, proved a rack-rent, and led to the eviction of a multitude of landholders.

This land tenure was the result of one conquest: that by the Moguls, under Baber, a descendant of Timour the Great; and its continuance was the result of another conquest: that by the English East India Company, now succeeded by the British Government. For the climate of India rendering it impossible for the British to colonize the country themselves, the last conquerors had, as individuals, no personal interest in the tenure of land there; and unlimited power of taxation has proved a great convenience to the Government.

Under the feudal system a very similar theory, as to the tenure of land, was inculcated in western Europe. But the practical results were widely different.

When the provinces of the Roman Empire, one after another, had been overrun and conquered by different nations and tribes from the north of Europe; in each case of conquest the king, or commander of the conquering army, cantoned detachments of his forces, under subordinate leaders, in the strongholds, or at the strategical points of the newly acquired territory, to keep the vanquished people in subjection, and to draw supplies from each province. As these detachments and their chiefs were originally under the command of the prince or general of the conquering nation, the whole of the conquered country and all its resources were assumed to be, for the time, at his disposal.

But when these secondary leaders, most of them being chiefs of tribes, long accustomed to follow them in war and peace, had for years occupied, each a particular province or county; and they had made themselves strong there, and secure in their occupation, among other means, by placing the smaller strongholds, with an allotted portion of territory, under the charge of their own tried and trusty officers; each of whom, in turn, had his own followers of the conquering tribe to provide for, the feudal system gradually, but naturally grew up.

Each of these allotted territories became a fief, held, in theory, at the appointment, or by the grant of the sovereign, as lord paramount; but really as an estate of inheritance, not to be forfeited but for some high crime, as treason or rebellion. And the officers of these great landholders, in their turn, became similar vassals to them, holding the lands allotted to each of them by his immediate chief, on a similar feudal tenure.

We will not stop to inquire into all the causes why, in one conquest, that made by the Moguls, the occupants of land were ultimately reduced to the condition of tenants at will; and why the other conquest, that made by the Germans and Scandinavians, should result in giving the landholders estates of inheritance. One fact is sufficient to account for the difference.

These Northern conquerors in Europe were of the most gifted and intellectual races—individually self-reliant, and imbued with a strong spirit of independence; which was only controlled by the obvious need, in war, of subordination and obedience to discipline. The motive of these invaders, in making this conquest of new territories, unlike that of the English in India, was to divide the land, more fertile and in a better climate than that which they had abandoned, among themselves (the conquerors) in proportion to the rank and merit of each warrior.

But with a hostile people under and around them, they still had to keep up their organization as an army, and their connection with and obedience to their chiefs. With a nation of conquerors thus organized, there was a solid reason for the reference of all tenures of land to the grant of the sovereign head of the nation.

Out of this theory of the feudal system, that all land was held on conditional tenure, by grant from the sovereign, in whom the ultimate title rested as lord paramount, the lawyers and courts have manufactured the doctrine of "Eminent Domain," vesting all land in the State. Their knowledge and familiarity with the "Roman Imperial Civil Law," politically a code of absolutism, matured in the reign of Justinian, helped the lawyers much in reaching their views on this point; and court favor with arbitrary monarchs at later times, did yet

more to establish the legal assumption as to the limited right of individuals to and in all their possessions.

But this doctrine of "Eminent Domain," usurping in its tendencies, and often tyrannical in its operations, is a perversion of fact, nature, and truth, having no other ground to rest upon but this: the State, created for the defense of all private rights, is occasionally compelled to use the private right of some person, which accidentally becomes the necessary means of protecting the private rights of all in the community; and the person thus stripped of some private right thus appropriated by the State, is at once entitled to full indemnification out of the rights of all those not so devested of their possessions.

When a State acquires additional territory by conquest, purchase, or treaty; if there be vacant or confiscated land in it, it would be a perversion of the true end of government, and an act of gross usurpation for the State to assume the part of a landlord, and of a great landholder, letting out its land on lease, and collecting its rents from its tenants. The territory has been acquired through the material means furnished by all those who contributed to the maintenance of the Government; and often chiefly, or very largely, by the personal service of some of them, in getting possession of the territory.

It is the duty of the State, which, after all, is only an agent or trustee, to seize early occasion to pass over the bulk of the unoccupied land into the possession of private persons; assigning bounty lands to those who, by their personal services, have contributed actively to the acquisition of it, and selling out the remainder on reasonable terms, to any members of the community wishing to purchase; thus increasing the area of private property, and the number of landholders, and lightening

the burden of taxes laid on them to maintain the Government.

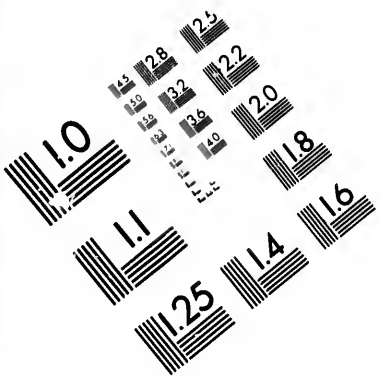
The land so acquired by these new proprietors is, and ought to be, as much theirs as any property can be. They have bought it with their services, or their money; and are indebted to no one for their right to it. The State is merely the channel through which they derive and trace their title, and has no claim on them more than on any other landholder under its protection.

XXXIII.

Besides the fundamental fact that all value and property is the result of private industry, skill, and economy; the whole history of public and private property when contrasted, proves that the State should possess and hold no more property than is sufficient to enable it to perform its functions as guardian of private rights.

Governments pay more and spend more than individuals in similar transactions. Governments are more frequently and more largely cheated; for they must always act through agents, the State itself having no personality; and therefore, the vigilance, foresight, economy, and good faith, generated by private personal rights and interests, are wanting in the transaction of the State's affairs. No agent can be trusted like one's self.

It would be useless labor to search far into the records of history for examples to prove how often States have been cheated by their agents high in office; while we have close at hand so many witnesses in the United States, and in the individual States which, nominally, make up that federal body. Avoiding needless details



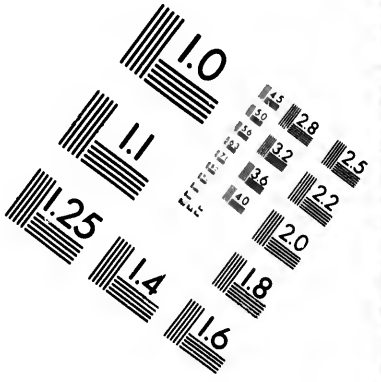
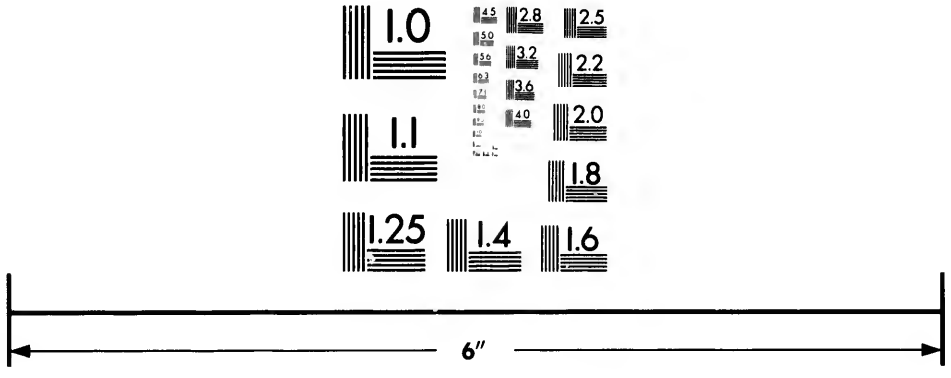
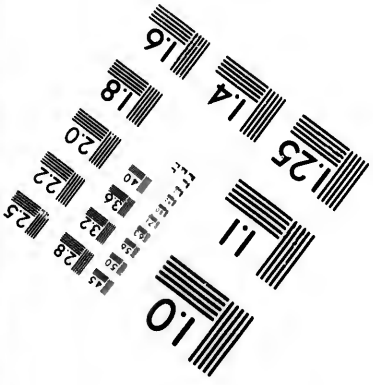
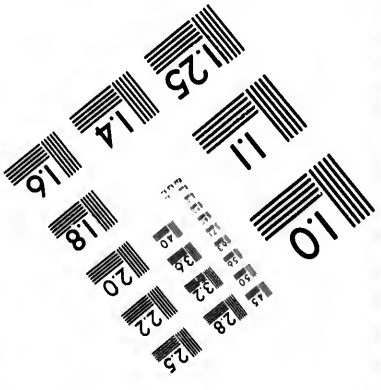


IMAGE EVALUATION TEST TARGET (MT-3)







Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

and personalities, we may safely refer to the notorious fact, that of late years, among the politicians who have filled the chief posts under the Government of the United States, most of them went into office poor, and came out, or remain in office rich; although it is well known that their salaries are too moderate to have made their fortunes. One political party has been in power twenty-three years; and its leaders and prominent supporters have become immensely rich; and when, seven years ago, a statesman, who had earned the reputation of being a rigid reformer of abuses, and searcher out of political corruption, was elected President of the United States, these bloated plunderers of the Treasury combined to procure a false return as to the result of the election, and put into office the candidate who had not been elected; and from that time to this, the systematic plundering of the country by those who were pretending to serve it has gone on. Since the false President filled a term, another election has taken place, under circumstances that show that the first essential sought in a candidate for that office, is well-established corruptibility. The fact of having had a hand in more than one of the gross frauds perpetrated on the Government and the people, is a strong recommendation to office with the active political agents who manage the elections.

What we have said as to political corruption among the United States officials, is equally true, on a smaller scale (for there is less money to be stolen) as to the officials of the States, and the large commercial cities. (*See the career of the notorious Boss Tweed.*)

Again, the private owner of property improves it at less cost than the State does, having no motive to peculate on his own rights, as the agent of the State has on

those of the public; not being tempted to extravagance, by having the State treasury to fall back on. The history of private expenditure is usually that of economy; that of public expenditure is, very largely, that of corruption and waste.

The natural use of property is the use and enjoyment of it by private persons whose industry and economy created it. The possession and use of it by the State springs altogether from the existence of two evils, to guard against which every one must make some sacrifice of rights, to enable the State to afford security against them.

The worst of all governments would seem to be a landlord government, like that of the British in India, claiming that the country, acre by acre, belonged to the State, and that State foreign to the country and people it governs. Any country in which the great bulk of the property, especially the land, say nineteenth-twentieths of it, is not in private hands, is in a false and unnatual condition.

Simplify it as we may, the work government has to do is difficult and complex. Some of it concerns more especially local interests; and that portion of it is best managed when intrusted to authorities of a local origin. In fact, this feature—the localization of power, burdens, and responsibility, in matters in which that is practicable—is characteristic of the best governments. The centralization at one point, of all the authority and resources of the community for all public purposes (even of strictly local interests), especially if it be a great nation, is a certain source of usurpation and political corruption.

To give a simple example of the locating of the power of the State at different points where it is needed. The

maintenance of roads, bridges, and ferries, although needed for the keeping open of the communications of the whole country, is especially important to each part of it, in which each of these public conveniences chances to be located. The charge of maintaining them, therefore, is usually intrusted to a commission appointed in and for each county, who are authorized to levy the cost of maintaining these works, by assessments on the people of the county. The State may further empower these officials to take such part of a man's land as is needed for a highway, paying him a valuation for it.

So, a town or city being made a municipal corporation, acquires a local government for some limited purposes. The State may assign to it the power to purchase, by a forced sale, the land of private persons, within the limits of the municipality, in order to open or widen a street, to make a market-place, or a town hall, or for any other needed public improvement. But in assigning this power to local authorities, the State stretches the so-called right of "eminent domain" to the utmost extent that can be justified. It makes the county, or the city, a State within the State, for some local object, in order to facilitate the objects of local government and police; and gives it the power to raise money, by taxes, for those purposes.

But this does not authorize the corporation to raise money by taxation for purposes foreign to the object for which its powers were granted. A municipal corporation goes quite beyond its charter, when it raises money, by taxation, to carry on a commercial undertaking, or to assist in doing so; as by granting a *bonus*, or an exemption from taxes, to private parties, who establish a factory or other business enterprise; or to undertake such on the part of the corporation. Any tax-payer may well

object that, "This is taking my money for no legitimate object of government; but to enter on, or assist other people in projects, in which I have taken no part, and I may decline all responsibility." I believe that if a tax were levied for the express purpose of raising such a *bonus*, and the tax-payer were to refuse payment, the courts of law would sustain him in his refusal.

XXXIV.

We have commented on the dangerous character of this doctrine of "eminent domain," and its liability to abuse in the hands of the State. But some governments, from sheer carelessness as to private rights, have gone far beyond the theory on which the right is founded, and given a false, unjust, and dangerous latitude to the right of "eminent domain." We will give a late example, near at hand:

In an important province in British North America a landholder had, on his farm, some very copious springs, used to work a mill, and he had, near at hand, a hill of considerable height. A town of twenty thousand people, three or four miles off, on the other side of a considerable river, was in need of a supply of good water. These copious springs could furnish a good and sufficient supply; and the hill, a good site for a reservoir, from which it could be conveyed to the town.

Here was a plain case of one party owning property, which another party wished to acquire. The State had not the least interest in the matter, to call for the application of the right of "eminent domain." And it certainly had no right to assign its powers, under that

theory, to a municipality, to be exercised beyond its own jurisdiction and boundaries, in the county around it. The matter concerned only an individual on the one hand, and a corporation on the other.

Common justice dictated that, if the town needed this source of pure water, the corporation must offer to the owner, a stranger and a foreigner to the town, his land lying miles outside of its boundaries, a price sufficient to induce him to sell it. If he refused their offer, this foreign corporation must offer more, or wait until he changed his mind.

But the parliament of this province, full, doubtless, of wise and honest men, and especially of learned and adroit lawyers, not content, in their legislating zeal, with exercising the right of "eminent domain" for the State; must extend and pervert its application for the convenience of a local corporation, to enable it to make a good bargain out of a private proprietor.

Under a statute enacted for this and similar cases, the property of a landholder may be, and was appraised at a very moderate price, indeed, a very low price, far below what he was willing to sell it at; perhaps not one-tenth of what it was worth to this covetous and intrusive purchaser; taken from the owner by a legal proceeding which was a mockery of justice, and given to a corporation, with which he had no connection whatever.

This law teaches the principle that: "Where one man has property, which may be useful to, and is coveted by many, especially if that many be a corporation, the State will limit the price, and force a sale for their benefit."

It is true that there have been a large class of cases, in which the State has forced the transfer of private prop-

erty, which the owners did not wish to sell; I mean land on the line of railroads. But these cases stand on a totally different footing.

We have seen that the State, in order to perform its functions, as the protector of all private rights, must have access to every part of the country. It must have highways throughout the length and breadth of the land. Now railroads are highways of a peculiar kind, in addition to the ordinary highways. The means of rapid communication and transportation have become necessary to the State and community. To secure this, railroad companies are chartered. Under these charters, private landholders may be stripped of their land, or some part of it, by a forced sale to a railroad—not for the company's benefit, but to supply a supposed public need, or great convenience to the State and the community.

No railroad company can ever acquire as high and clear a title, to the land thus obtained by these forced sales to it, as the right and title of the private persons, who have been devested of their land, to make way for the railroad. These corporations are but chartered common carriers, subject to the law as such. It is true they have been granted, each a monopoly in the use of its highway, for three reasons:

1. Because, the peculiar construction of the road excludes the use on it of the means of transportation used on ordinary highways.

2. Because, if their road were open to the trains of other railroads, accidents fatal to life and destructive to property, would be vastly multiplied.

3. In order to induce the company to make the great outlay needed to build the road and keep it in working order.

But these roads, having been brought into existence purely for the benefit of the State and the community, are still under the control of the State; which may fix rates, times, and terms of transportation. It may, perhaps, even enforce a sale of the railroad with less stretch of authority than it had used toward the private landholders, who had to make way for the railroad. As the State may have occasion to close one highway and open another, so it may do with a railroad. But it is bound to pay the corporation the cost, or at least the value, of its property. For the charter, granted by the State, was the inducement which led the corporators to the outlay they made.

XXXV.

We have said that the resources of the State consist of its claims on personal services, and on private property. What are the principles which should regulate and limit the exercise of these powers? First, as to personal service.

The object of political society; the true motive that first drew men into, and still keeps them in it; is to obtain the aid of their associates in defending their private rights. Any one who has joined himself to a political community, or has been born in it, and had his rights protected by it, is bound to give his aid in defending the rights of his associates, and in upholding the community from which they all seek protection.

Thus, as was the usual practice in primitive times, the local magistrate may call on all the men in the neighborhood, to give aid in quelling a riot, or an insurrection against the law, in preventing a crime, or in arresting a

criminal. The State, when threatened by a great danger, as invasion by a powerful enemy, may rightly call for the services of every man able to bear arms, to resist the enemy. And this is true in any part of the country especially in danger, even when a general levy is not needed throughout the whole country. Moreover, there are other public duties, in which the official agents of the State need occasional aid; which may be rendered, and in some cases, are best rendered by men not in office—for example, by men drawn as jurors, to ascertain facts, involved in cases brought into court. There are many other matters in which private men may be justly called upon to perform occasional public duties, as witnesses, appraisers, experts, etc.

But the right of the State to demand personal service, can never be justly extended to compelling a man to adopt a special profession, trade, or calling. Although the State may, and often has, compelled men to bear arms, or labor on defensive works, it has no right to choose a man's occupation, or means of earning his living, for him; to compel him to take up the trade of a soldier or sailor, any more than the profession of a lawyer, or physician, or the trade of a mechanic, or the occupation of a plowman.

It would be an utter perversion of the relations of the State, to those who compose the community which created the State, if these persons were not free to choose for themselves their occupations and pursuits, according to their aptitudes and opportunities. The State came into existence to serve the purposes of individuals; not individuals to serve the purposes of the State. If any control in this matter of men's callings, external to the party himself, can be justly claimed, it is that of parents and guardians alone.

Nor, on a man's attaining skill in any art, science, or profession, has the State a right to force him into its service, in the exercise of his occupation.

The State has no claim on an individual, beyond that which it has on all and each one in the community; unless he has made a contract with the State, binding himself to the performance of services in the line of his profession. When, in England, five centuries ago, Edward III was about to build Windsor Castle, in magnificent style; instead of alluring workmen, by contracts and wages, he assessed each county in England to send him so many masons, tilers, and carpenters, as if he had been levying an army. He showed great moderation in not first impressing the architects to design and superintend the structure, and the sculptors and painters to adorn this palatial fortress. This measure makes it manifest that the first elements of private right, and personal liberty, were not then understood, or were at times disregarded in England.

The only exception to this right of men, to choose their own trades and occupations, we can think of at this moment, is, where the State, to restrain a growing evil, and to abate a common nuisance, has taken charge of forsaken children, and youthful criminals. To relieve itself of this burden, it may apprentice the derelict children, to be taught trades, which, perhaps, as adults they would not have chosen. And, in the case of the youthful criminals, the State may turn them over to occupations, in which they will be placed long under vigilant control, as in the military or naval service. Yet when it is practicable, these derelict children, and even the youthful criminals, should be allowed some latitude of choice as to their callings for earning a living.

I can hardly imagine a grosser violation of the natural relation between the members of a community and the State which they have established over themselves, than the French system of "conscription": putting the names of young men into a lottery, to decide which among them shall take up the trade of a soldier, for the best years of his life—at wages beneath those of the meanest laborer; in order that the rest of the community may cheaply escape from military service. This is a gross overstretching of the authority of the State. Yet, although in the extent of its application to the nation, it goes far beyond, in enormity it falls short of the old English press-gang system of forcibly manning the navy: arresting as criminals sailors and watermen, anybody, in short, who looked like a longshoreman, and pressing them into the naval service.

These things, both in France and England, originated in the intense selfishness and injustice of the mass of the community—ever ready to sacrifice others to secure themselves. Any man may devote his life, his labor, or his wealth for the good of his country. But his countrymen have no right to select any one as a victim for sacrifice, while others, under equal obligation to the State, are exempted. For example: When a horrid chasm suddenly yawned open in the forum (the story, we believe, is told in Livy's somewhat fabulous history) the soothsayers foretold that great calamities would happen, if the most valuable thing Rome possessed was not thrown into it. While they consulted as to what was the greatest treasure Rome had, Curtius Melius, a gallant youth, put on his armor, caparisoned his horse, led him into the forum, blindfolded, and mounted him. Then exclaiming "Rome has no treasure as great as courage and arms!"

he spurred his steed on to a desperate leap into the mysterious chasm; which at once closed up, as if it had never threatened destruction to Rome! Curtius may have had a right to take this fatal leap. But the Romans had no right to throw Curtius into the chasm, even to attain that great end, the safety of Rome.

XXXVI.

The end for which the State exists is to afford security to private rights. What we have learned to call "public rights" exist only for the protection of private rights; came into existence after, and are derived from them. Private rights had come into being before there were any public rights whatever. We cannot repeat this truth too often, or put it into too many shapes. For both statesmen and private persons are ever losing sight of this root of all political principles.

In creating a State, and establishing a government, men are seeking, not an end, but a means to an end. Governments are not ends in themselves, but simply the means devised for attaining the great end—the security of private rights. Yet men have often, with this view, built up a great and irresistible power, which resulted in a ruinous and merciless tyranny, not protecting, but trampling on all their rights.

The State cannot give protection to private rights, unless it has the means of acting, the command of value, or of personal services. Indeed, it stands in need of values, chiefly to purchase personal services. But as all value is the result of the industry and skill of individuals; they, if they want the protection of a government, must contribute the means needed to support it.

In more primitive states of society, these contributions take the shape, chiefly, of personal service. In more advanced stages of civilization, they take the form, chiefly, of taxes. The motive for paying taxes is to secure protection to one's rights. So that taxation and protection are co-relative terms—a right linked to duty.

What are the principles which should guide and control the State in levying taxes? Chiefly these: The amount raised in taxes should not exceed what is needed to maintain the State in efficiency; for that is taking from the tax-payer more than is needed to provide for the protection of his rights. Moreover, the taxation should be equable. That is, no man should be made to pay the tax, or any part of the tax, that should fall on another.

But when we come to arrange a fair and just system of taxation, many natural difficulties stand in the way. We find that the State must embrace under its protection multitudes, who neither do nor can pay taxes—as most women and all children, who have no property. In fact, the adult laborer, who consumes all he earns, can pay no taxes; and the attempt to tax him directly, falls on his employer, indirectly. Thus, a tax on farm laborers is a tax on farms, for this tax raises the cost of living to the laborer; which results in a rise of wages, and in the cost of cultivation. This objection applies to all poll-taxes, which have always been the most difficult to collect, most irritating to the people, and have caused many dangerous insurrections in past times. This reveals to us that taxes are of two kinds—direct and indirect.

Direct taxes are laid on, and paid out of the savings from the result of labor—that is, out of property. Although the State affords protection to other rights besides

those of property, yet as all taxes must be paid out of the results of men's industry—and the more property a man has, the more protection he needs for it—there is much equity in proportioning a man's tax to the amount of property he has. In direct taxation States seldom fall short of this. But some governments have gone beyond this, and have departed from the true principle and just ground of equable taxation, based on the protection it affords.

They have proceeded on this false principle, how to raise the most revenue. Inasmuch as a man who has a large property can usually pay his large tax more easily than he who has but a small property can pay his small tax; governments often are guilty of increasing the ratio of taxation, sometimes by a graduated increase of the ratio of an income tax—oftener by heavier duties and excises on commodities used chiefly by the wealthy, or by exempting small properties or incomes from taxation.

Now, as the value of the protection the State affords to property, or income, is in proportion to the amount of a man's property, or income; this increasing rate of taxation is simply making the rich pay a portion of other men's taxes: it is an insidious war upon wealth. For, if by any manœuvre in imposing taxes, that laid on an amount of property worth, say, $100,000, or on the income derived from it, in the hands of ten men, is increased on an equal amount in the hands of one man, it is imposing a fine on the acquisition of wealth, as if it were a crime.

Income taxes are otherwise unjust. A merchant, in a prosperous or lucky year, may have a larger income than a great proprietor. A professional man in high practise may have as large. Another man may have as large an income, derived from property in another country, in

which he pays high taxes on it; and the State he lives under can give no protection to the property abroad.

The State has no claim on property beyond an equable contribution with the other private property under its protection. The only properties which should be exempted from taxation are those which are of so little value, that the tax would little exceed the cost of collecting it.

The system of taxation on an increasing ratio, in proportion to property or income, is the germinating seed, which may well grow up into the usurpation by the State of a right to decide that some men have acquired too much property; that he who has a million in money, or 20,000 acres in land, must yield up half his wealth to the State, or for division among penniless or landless men. Such a government will soon discover that one hundred thousand in money, or 2,000 acres in land, is too much for one man; so a new distribution must be made. And it will go on, seizing and dividing the property, created by industry, and accumulated by economy, until this system of public robbery left no security to property, and had sapped and destroyed the foundations of industry and economy, which alone can create it.

On similar grounds it might be objected: What right has any man to more than one house, or one farm, while others have none? Or, in short, why should one man have an abundant breakfast, dinner, and supper; while another has but a short allowance of dry bread?

The acquisition of property by individuals, and their exclusive control of it, is essential to the welfare of the whole community; even of those who have no proprietary interest in any part of it, but only derive employment and maintenance from it in the hands of the owners.

It furnishes the chief and necessary means of supporting the State. From the very nature of property, it is especially open to encroachment and trespass by both individuals and the public—for both may undermine and destroy it. Therefore, the holders of property are, as a class, entitled to whatever amount of influence and control in the government may be needed to secure their proprietary rights.

In countries where property is not safe, men fear to invest their earnings in visible and tangible undertakings which improve the country: as highly cultivated farms, improved live-stock, costly and durable buildings, mining enterprises, and other valuable and permanent resources. They either wisely slacken their intense industry, toiling less, and spending what they earn; or they give to their earnings such shapes as can be carried about the person, concealed in the house, perhaps buried in the garden; or send it to another country where property is in less danger from public and private robbers.

But the way the State commonly plunders the people is by indirect taxes. These differ from direct taxes chiefly in this: They are not laid on the property the tax-payer expects to keep in his hands, but on property *in transitu*, that which he got to part with, as goods imported into the country for sale, or on the manufacturer's productions, or the merchant's stock in trade, or on the license, or permit, granted by the State, to practise some profession, or follow some special occupation.

In all these cases, the person who pays the tax, expects to be indemnified for his outlay in taxes paid, and more than indemnified, by the profit he makes out of those to whom he sells, or out of those who employ him in his licensed occupation.

These purchasers and employers are the real payers of the indirect tax. Now, the payer of a direct tax knows, to a penny, how much he pays in taxes. In the indirect tax, the party who seems to pay it, is repaid his outlay with a profit, and often a monstrous profit, extracted from those who deal with him, either buying his goods, or employing him in his licensed occupation. These last, unlike the payer of the direct tax, never know how much they pay the State. For their tax is inextricably mixed up with the price of the article bought, or the cost of the service paid for.

The whole amount paid in direct taxes, deducting the cost of collecting it, goes into the treasury of the State. The cost of collecting indirect taxes is usually far greater. The facilities for fraud on the revenue are greater still. And a large class of dealers and licensed parties make great profit by that kind of taxation. So that, the State, in collecting the same amount of revenue by direct taxes, takes less from the people, than when it is collected by indirect taxation.

The State, therefore, in providing itself with the means needed to protect the rights of every one in the community, should do so in the mode which least trammels the freedom of individuals, and encroaches least on their acquisitions. This alone is honest taxation.

XXXVII.

While society, in its merely social aspect, originates with the social and domestic instincts; the State, or society in its political aspect, springs from the purely selfish instincts of mankind. Self-seeking man looks around for personal safety, and protection to his rights.

It would be well if this selfish seeking for safety were pure and simple, and less active and aggressive in its nature. But no sooner do men find themselves under a government with powers for their protection, than, as these powers cannot exercise themselves, but must be wielded by men; there springs up a keen, often a fierce, struggle between individuals to act for the State, and exercise some portion of its functions.

The government is recognized as a convenient institution, a handy machine, for working out the ends of private interest and ambition; and vast numbers of the most able and energetic members of the community, soon cease to view it in any other light—in their hearts—but their mouths are fuller than ever of professions of devotion to the public good.

He has not lived long, or much observed men, who has not detected the rareness of unselfish patriotism, of real devotion to the public good, the general absence of honest and honorable motives among those who seek for place and power. A wise man of the last century was so forcibly struck with the frequency, ease, and success with which men of the worst character put on this cloak of hypocrisy, that he was impelled to exclaim, "Patriotism is the last refuge of a scoundrel!"

Abuses in office grow up rapidly, until the powers of government are perverted into the properties or privileges of persons in office; or of classes, which, as far as they can, throw the burden of supporting the State, and themselves, on the remainder of the community, who chance to be out of favor with them.

This abuse does not depend on form of government. The autocratic despot has often striven to use his vast power economically, seeking to give protection fairly to

all under his rule. But the best of them is often surrounded and misled by those who, seeking only to serve their own private interests, contrive to make him their agent, and even their tool.

It needs little knowledge of history to teach us, that the most unscrupulous tyrant is a dominant party, especially if it has been exasperated by a long struggle with its opponents. These party struggles are common to every form of government. But their course is, perhaps, most distinctly traced in republics and democracies. But under every form of government the result is the same. Instead of the State being ruled with a view, simply, to secure all the rights of each member of the community; the government is administered for the benefit of the party in power, and, as far as possible, at the cost of the party out of power.

This has seldom been more plainly manifested than in the United States, and France at this time. In both of these countries universal manhood suffrage is the nominal basis of political power; and office and power, of course, have fallen into the hands of demagogues. (For democracies have demagogues in place of statesmen.) These have persuaded the major part of the people, by the most plausible theories, that the value and returns for their own labor and productions are greatly increased, by throwing burdens and obstructions on the labor and productions of other portions of the people of those countries.

These burdens and obstructions on trade and industry take the shape of high duties on imported goods. Not so much to bring revenue to the State, as profit to the home producers of commodities similar to those that would be imported from abroad.

In France there are two great classes of producers, be-

sides others, on whom this obstruction of free, natural commerce weighs heavily. The producers of wines and of silks. In the United States, there are four great classes of producers, besides others, who are robbed by this system of taxation. The growers of exportable grain, of animal food, of cotton, and the miners of the precious metals. This so-called "protective policy" cuts them off from a large part of the natural profits of unrestricted trade and exchange in the commerce of the world. For the duties on imported goods, which come in exchange for goods exported, take from the home producers 30 or 40, in some cases 60 or 100, per cent of what they might receive in return for what they send abroad. Is this distributing the burden of supporting the State equably on them and on other classes?

Has our reader ever considered what is the nature and origin of that offense, which is called smuggling? Stealing, and robbing, and the destruction of your neighbor's property, and a multitude of other acts, are crimes in their very nature; and were criminal before any human law undertook to punish them.

But there is, in Nature, no such offense as smuggling. An essential ingredient, in your natural liberty, is the right to carry, or send the proceeds of your industry, any part of your portable property, to the best market you can find for it. And when you have there exchanged it for other commodities, you have naturally an equal right to bring your new acquisitions home with you. They are as much yours as that was which you gave for them. These are the natural and justifiable acts, out of which governments have manufactured the offense of smuggling. They create the crime by legislation; they provide for its punishment by further legislation.

Almost every commercial country (except Holland) has made its laws against smuggling a complete and attractive school for training large classes of people to deception, fraud, perjury, and violence; by the great profit held out to them, on articles overburdened with most unfair taxation, utterly disproportional to that levied on other property. Yet States wonder at the frauds on which they themselves have put a premium.

It is needless here to consider further the principles of a false political economy, and its aggressions on man's natural rights. The selfish propensities of men are always striving, in civil society, to throw the burden of supporting the State on other people, and off from themselves. They even devise unnecessary taxes, not to raise revenues for the State; but with the sinister and selfish object of making their own trades and occupations more profitable than Nature gave them the means and opportunities of becoming.

XXXVIII.

We must repeat, that although the origin of the State is remote and obscure; and the development and complexity of its government, of very gradual growth; yet we have no reason to think that the end and purpose for which it exists has undergone a change. Its single and simple object is the protection of the rights of those who live under its rule.

What government now existing, or of past times, can we point out as having limited its action and its legislation to this simple programme—the defense of the rights of individuals living under it?

They all have either used their powers for the profit of some favored portion of the community, at the cost

of others not favored; or they have stretched their prerogatives, by usurping functions and powers, which naturally belong to individuals, and of right should remain in their hands. These abuses have varied in different ages and countries, but they have never ceased to exist. A large part of history is made up of the struggles of portions of nations resisting the encroachments of their own governments, on their natural or legal rights. These are among the most painful, yet instructive, chapters in the annals of mankind.

Many governments have obstructed and counteracted, sometimes for ages, the provident arrangements of Nature for promoting the progress of mankind; and this often by blundering legislation, with the best intentions, in matters foreign to the true end of government.

They have undertaken to regulate the people's religion, and still do so, under the pretense of educating them. To regulate their trade and control their industry and occupations, by giving bounties to some pursuits, while putting obstacles and even prohibitions on others. Governments have, at times, undertaken to regulate people's dress, diet, and habits of life, by sumptuary laws; and of late years have been constantly urged to, and often have, prescribed what they shall not drink. Nothing has stood more in the way of human progress and civilization than the blundering of governments on matters outside of their true jurisdiction.

Although governments have often been forced upon people by violence—as by wars, civil and foreign, by actual conquest; and yet oftener by their own chiefs, successfully resisting foreign attempts at conquest, and thus attaining to almost absolute power—still government is so necessary to society that even bad governments are

long borne with, for the preponderence of good derived from them, when compared with anarchy. Even when a people throw off a government, it is only to replace it with another, which they hope to find better, but which often proves worse.

Political changes often grow out of gradual modifications of the polity under which a people have long lived; and they seldom foresee the ultimate effects of these modifications until too late to remedy them. For they not seldom lead to radical revolutions, destructive to private rights.

While it must be admitted that every government which has lasted long must have served the purpose of protecting a large part of the interests of a considerable part of the nation; yet all governments have been very unsuccessful when they assumed the part of bountiful benefactors of the people living under their rule.

As we said before: It has been held by many that the State should adopt as its principle of action, "The seeking the greatest good of the greatest number." But this plausible motto is fallacious and sure to mislead. The government must at once become the busy and intermeddling patron of the people's private affairs; see who need assistance and encouragement; and who can thrive without it. It will be sure to find a numerous, hungry, and greedy class, clamorous for special favors. What the deserving portion of the nation ask is, simply, security to their rights. The chief use of the State to them is apt to be security to their rights, against the attacks of others, in the same political community.

XXXIX.

Mankind are indebted for their progress and improvement to individuals highly gifted by nature; not to governments, which, usurping prerogatives and duties foreign to their end, have often, by ill-judged interference with Nature's providence, stood in the way of man's progress.

We have already pointed out particular cases, in which the human race owe their advance to the discoveries and inventions of individuals. It is almost impossible to over-estimate this source of the bettering of man's condition, or to give a history of its development.

When we remember that primitive man, like some savages of the present day, could not count beyond the number of his fingers; we must see that those more acute and observant minds which gradually and successively built up the art of abstract numeration, then those of mensuration, of form, and proportion, thus laying the foundation of all exact science; bestowed a boon of infinite value to those who came after them. To other individuals men owe similar benefits, in their discoveries and inventions in various arts; not only those extending their control over material Nature, but others, enlarging their intellectual and spiritual range of existence and enjoyment.

The names and history of these early benefactors to their race are utterly lost to us; particularly of the earliest, and therefore the most important, as being those who first led men into paths, by treading which they could better their condition. In vain we ask, "Who invented the plow?" "Who first taught men to keep a

record of the past?" We cannot even estimate the number of these, our early benefactors; or the variety and value of the benefits they bequeathed to us. The imaginative Greeks deified them, attributing to them superhuman powers.

To come down to periods and persons within recorded times; who can say how much that intellectual race, the Greeks, and we ourselves, through them, owe to Homer and Aristotle? To come down to modern times, it is almost as difficult to estimate how much Lord Bacon, or Sir Isaac Newton, has added to the material and intellectual gains and welfare of those who have come after them. Perhaps it is yet harder to say, how much, of a different character, English-speaking people have gained from Shakespeare and Milton. It would seem to admit better of calculation and measurement, the inquiring as to the material and intellectual gains we have derived through James Watt, the first successful employer of steam as a mechanical power, or through George Stephenson, the inventor of the locomotive engine.

But the simplest of these inquiries would far overtask the powers of calculation and analysis Newton brought to the composition of his *Principia Mathematica*, or those La Place used in preparing his *Mechanique Celeste*.

It may be said that all these gifted persons, much as they may have achieved, were simply working out their own object for their own profit. If that were true—but in most cases it would be false—still, however great the results of their self-seeking labors, so much more clearly would it prove Nature's provident arrangements for the benefit of mankind. Through this providence of Nature there is a fermentation of ideas in human society, always at work, which, like the yeast kneaded into a batch of

dough for baking, tends to lighten and raise the whole mass.

XL.

Kindly Nature has further shown her provident care of man, by implanting another trait in his constitutional organization, as obvious, but, perhaps, not so important to the progress and improvement of the race, as that of which we have last spoken.

Nature has made man a sympathetic being. This seems to be, among animals, somewhat peculiar to man. For although we now and then see something like it among the brutes, especially those in a state of domestication, its manifestations are rare and indistinct. Man is the only animal we can characterize as constitutionally benevolent, beneficent, and charitable.

For when man's evil passions, and his animosities, are not aroused, he is a well-wisher, and kindly, to his fellow man, and ready to interest himself in his welfare and success. We have noted a marked example of this in the unstinted hospitality expected and practised among the hunting tribes of the northwest of North America. Indeed, human society, in a semi-barbarous state, is not often wanting in hospitality. Very often that is made the special point of honor, even up to improvidence for themselves.

Hospitality is not only the earliest and simplest shape, in which charity and beneficence can show themselves; but all the charities of man to man originate in hospitality. The furnishing the destitute with shelter, food, and warmth, and opening a friendly intercourse between those who have and those who need. For it is unnatural to

human beings in a condition of ease and plenty, to see, unmoved, their fellow creatures destitute, and suffering from want. Our training in domestic life, in reference to those dependent on us, prepares us to perceive, and promptly to relieve, any case of painful destitution, when it is in our power to do so. Accordingly we find hospitality most freely practised where it is most needed, and least likely to be imposed upon—in remote and little frequented places.

We have not asserted too much in saying that all the charities of man to man originate in hospitality. It is making the stranger, for a time, a part of your family, sharing in all that they enjoy. If you follow out this idea, hospitality is often not limited to the relief of the material wants of the day. The host, in taking on himself that part, is led to open his heart; and will seldom withhold from his guest any information, instruction, or warning, he can give, useful or beneficial to the stranger. Thus affording valuable lessons to those who are often in urgent need of local and other intelligence.

The hospitable home, moreover, is often not merely the scene of a brief hospitality. It is, not seldom, a hospital for the relief of the sick or the wounded, and a school of instruction affording precious lessons to those in urgent need of them. In out-of-the-way places, where hospitality is most needed, Nature has provided a stimulant to the exercise of it, in the craving, of those who live retired lives, to get intelligence and hear news from the outer world; so that the host may thus often learn much from the stranger under his roof.

We have said that one of the effects of society, in bringing numbers together in habitual intercourse, is to exhibit strongly the contrasts of their condition. We

are not slow to perceive that, in many cases, want and suffering are the result of accidents and misfortunes, springing often from temporary causes; and that some timely assistance may completely relieve them.

When we cannot trace the evils suffered, to the conduct and negligence of the sufferer, we are strongly tempted to give him such relief as is in our power. And even when he is experiencing the effects of his own folly or vice, we may assist him until our sympathy is overtasked, and our charity worn out. We have to learn gradually to distinguish between unavoidable and, what may be called, criminal destitution, arising from the folly, improvidence, or indolence of the sufferer.

All charity is, at first, that of individuals, or at most, that of families; and it takes all the various forms of benevolence. But occasionally cases of want and destitution occur in society, far beyond the means of individuals to relieve them. Several charitable persons are prompted to divide among them the task of relieving this accumulated mass of suffering. In the midst of a dense population we soon learn to recognize the occasional occurrence of wholesale distress, and also the frequency of imposition on charity. We see the need of permanently organizing voluntary combinations among the charitable, in order that each one may know what the others are doing; thus adopting method in our good works, and guarding against systematic imposture.

The combining of their charities by individuals gradually led to the founding of hospitals, of almshouses, and very largely to the association of persons of the same trade, or craft, for occasional mutual relief.

Probably the first hospitals founded were lazar houses for the relief of lepers. In the Middle Ages a cutaneous

disease, mistaken for the leprosy of the Scriptures, seems to have prevailed early, widely, and for centuries. Its disgusting, incurable, and supposed contagious character, rendered it almost impossible to practise hospitality to these wretched sufferers. Being excluded from other society, these lepers naturally consorted with each other; and, grouped together, excited the more commiseration.

Very early some of the richer ecclesiastical corporations were moved to found hospitals or lazar houses for the relief of these hopeless and helpless outcasts from society; at once providing for their maintenance there, and confining the supposed source of contagion to one spot.

When charity had been thus organized on a system, incorporated, as it were, by the voluntary combination of benevolence, the example soon originated other hospitals besides lazar houses.

A history of charities would exhibit the expenditure of a vast amount of zeal, labor, and wealth, by a great number of people of every class; many of whom devoted their lives, and substance, exclusively to works of charity in various forms. But the truth of history compels us to say, that the active combination and organization of benevolence will be found to have chiefly arisen since the Christian era. Before that, the history of organized charity is pretty much a blank page.

These organized charities originated chiefly with ecclesiastical corporations, or through their influence; and with confraternities, or guilds of various trades. But many rich persons founded charities, and the shapes these took were much influenced by the professions of the founders. Churchmen and lawyers, two learned classes, were apt to found schools and colleges, rather than hospitals. Medical men saw the value of hospitals for the

treatment of disease, and the advancement of their own art. In time the tendency showed itself to appropriate some of these to the treatment of special ills that flesh is heir to, as the surgical treatment of wounds, or the medical treatment of contagious diseases.

Rich merchants and guilds of tradesmen founded almshouses for decayed members of their own calling, and schools for their orphans.

From the earliest times an occasional disposition manifested itself in some parents to abandon their children; and in some countries infanticide became frequent. Even in antiquity not a few States made efforts to provide for derelict children. And in early ages of Christianity further efforts were made to check the evil. A stone basin was placed at the door of some cathedrals and churches for the reception of abandoned infants. And at length foundling hospitals were established in many places. But from the great mortality in them, their utility is yet doubted. They diminish infanticide indeed, but encourage licentiousness and bastardy.

The Revolutionary government in France went so far as to give a premium on this immorality by offering to every girl who should declare her pregnancy 120 francs, and declared bastards the children of the State—*enfants de la patrie.*

We need not enumerate further the shapes taken by private charity. This is all we shall say in tracing the genesis of charitable institutions. They all derive their origin from the beneficence of private persons, beginning in hospitality.

XLI.

Thus, in spite of the egotistical, self-seeking motives which are the predominating impulses which set mankind to work; it is obvious that, in all human society, men do give no small part of their acquisitions, of their time, and of their labor to hospitality, to charities, and to beneficent objects which have for their end the good of others rather than themselves. This can escape the observation of no class of persons, least of all, of that watchful class who fill public office, and exercise the powers of the State.

This official and ruling class, under every form of government, are ever on the lookout for the means and opportunities of adding to their own influence; this is what exercises their utmost watchfulness. Their position in office engenders a frame of mind suggesting that the State should interfere in every matter, and engross all power and influence.

When, in the course of time, the charities and beneficences of private persons, flowing together, have created funds and institutions for the relief of human suffering and the instruction of ignorance, the State, that is, the office-holders who wield its power, see in these fountains of accumulated charity sources of influence and power which they think the State, that is, they themselves, ought to appropriate. They are never at a loss for plausible reasons for usurping new prerogatives for the State. In almost every country events occur, and occasions grow up, which afford colorable excuses for these usurpations.

In the Middles Ages, long before the Reformation, in

England and elsewhere, the Church, charging itself with the care of the poor, made that one chief ground for getting into its hands as much property, of all kinds, as possible. The parish priests and the monastic clergy, differing much on other points, united in working on the superstitious fears of the sick and the dying; and the bishops usurped jurisdiction over the probate of men's wills, and over the distribution of the personal property of intestates.

This grasping policy, in time, vastly swelled the wealth of the Church. That was constantly growing. It not only enabled it to feed vast numbers of the poor, to support many hospitals, the utmost splendor in public worship, and in the retinues of great prelates; but to practise a politic hospitality to people of rank on their journeys; for the episcopal palaces, monasteries, and priories spread over the country, were not only more numerous and better furnished, but far safer than the inns in those troubled ages. All this swelled the influence of the Church, which was constantly acquiring additional wealth, and more numerous and larger landed properties.

As all this territorial property came into the hands of corporations which, unlike individuals, never die; and churchmen held and taught the doctrine that it was a sin for them to alienate what had been dedicated to the service of God and his saints; it became obvious that if this process of acquisition continued long, the Church would become the sole proprietor in, and of the country.

In addition to these acquisitions, the Church, in England, made some long steps toward assuming legal jurisdiction, both in civil and criminal cases; and even went so far as to urge the setting aside of the common law of

the kingdom in many matters, and substituting for it the canon law, borrowed largely from the Roman civil law.

But here the clergy found that, in their usurping mood, they had overstepped the bounds of prudence; the peremptory answer of the Barons in Parliament was: *Nolumus leges Angliæ mutare:* A blunt refusal to change the customary laws of the kingdom, including trial by jury, and *viva voce* testimony in open court, for a foreign code patronized by the Church and the Papal power.

This condition of affairs in England led to the enacting of the statutes of *Mortmain*, prohibiting the alienation of land for charitable uses by will, or by deed not made a year before the death of the owner; in order to prevent priests and others from importuning a dying man to convey his land to such uses for the good of his soul. It led also to other legislation against the encroachments of the Church and the Papal power.

These *Mortmain* laws were especially needed then and there; but they are useful at all times, and in all countries; for it is natural and right that the bulk of property of all kinds should be in private hands, for it was all created by the industry of individuals for their own use. At that time, moreover, in England, the vast and growing wealth of the Church was under the influence, if not the control, of a foreign and (at times) even a hostile power, the Papacy.

At a later day, after the Reformation, the peculiar state of the times, both as to religion and politics, gave the English Government a most plausible excuse for usurping the patronage and control of charities of all kinds. In the case of endowed charities, indeed, one of the two great duties of the State, the administration of justice,

imposed upon it the obligation to see that the endowments were not perverted from the design of the donor, and misapplied by those into whose hands they had fallen. In time, doubtless, many of these endowed charities were grossly mismanaged, and became liable to great abuses and frauds. To the State, therefore, the inspection of them, but not the patronage, properly fell, in administering justice.

In England, before the Reformation, the wealth and abuses of the Church had brought into existence a vast pauper population, and fostered their idleness and vagrancy. It had no means of subsistence but the ill-judged doles of the churches and monastic houses, and the private alms which the Church exhorted the faithful to give to these beggars: "All that is given to them," said the Church, "is but returning to God some part of the abundance with which He has blessed the giver." But, usually, the clergy preferred being themselves the almoners, or the channels through which these fountain-streams of charity should flow. If the channel itself was dry, it naturally absorbed much from this stream of benevolence.

After the Reformation, England found itself overrun with sturdy and lawless beggars, who formerly drew their maintenance from the indiscriminate charity of the monasteries and convents, now dissolved. They had been trained up to a life of vagrancy and indolence. Here was a new evil, a nuisance spread over the face of the whole country, with which the State had to deal. It did not deal with it wisely, certainly not successfully.

As a remedy for this evil, Parliament, in the reign of Queen Elizabeth, entered on that series of enactments which gradually grew up into that portentous code, the

"English Poor Laws," a vast mass of unwise legislation of which we are not likely to see the end. The poor laws, with the decisions under them, would fill a large part of a law library. In this legislation the State steps in, and undertakes to administer all the charity for the relief of pauperism; and at length went so far as to make it criminal, under most circumstances, to ask relief from private persons.

What is charity in its restricted, vernacular sense, of relieving the wants of the needy? An essential element of charity is depriving yourself of something of your own, useful to you, in order to relieve the wants of another. Charity includes self-denial. In this sense the State cannot practise charity. For the State, not earning or producing anything, has no fund out of which it can, by practising self-denial, meet the demands of charity. The State can no more practise charity than I can, out of the purse intrusted to me for safe keeping, by another man. The most that the State and I, in this case, can do, is to practise the charity of Robin Hood, take from the rich to give to the poor.

Private charity, in fact, has a great fund at its disposal, and often draws on it freely. But this fund, if skillfully usurped by the State and artfully used, can be turned into political power. Those who represent the State step in, and turn this stream into channels of their own choosing. They assume the duty and the power to regulate all the spontaneous benevolence of individuals. It can be turned into political power, and therefore belongs to the State. By simply converting what is naturally private charity into a tax and a burden, to maintain a system of relief by the State, they teach the beneficiaries to claim it as a right, with thanks due to no one—as if

they had naturally a legal claim on the products of other men's labors and savings. It tends to make all the needy and unfortunate no better than restless and vagrant tramps, the pests of all well-ordered society.

Naturally, a member of a political community has no claim of right to require the State to provide for his wants. This is not one of the purposes for which the State came into existence. The business of the State is to protect him in the exercise of his natural rights, and in the enjoyment of the results of his exertions. Rightly understood, there can be no such thing as State charity. The making it a public burden, the support of it obligatory on individuals, in the shape of taxation, utterly changes its nature. It is charity no longer. As well might the law decree that hospitality to strangers, which is the root of all charity, should be obligatory on all householders. It would be hospitality no longer; but like the billeting of soldiers on the people of a region under military occupation.

XLII.

If any one thinks it easy or practicable for the State to fill the part of almoner, in dispensing the charities and benevolences of private persons—(all charities must draw their supplies from private sources, for the State neither earns nor produces)—let him study the history of the "English Poor Laws" for the last three centuries, and learn the result of that vast body of fluctuating and experimental legislation. For England has dealt more largely and systematically with this matter, the relief of pauperism, than any other country.

The result of this State charity is a long and painful tissue of failures, most plainly visible toward the end of the last century and the beginning of this.

The system had been most successful on the very point not aimed at, the breeding of paupers. For it had turned the poor laws into a mode of paying wages; and of beating down wages to the lowest point that could sustain life. Most farm laborers received much of their wages from the poor rates, being hired out to the farmers by the poor-law commissioners. Pauper labor had displaced that of independent workmen. The independence, integrity, industry, and domestic virtues of the laboring classes, in some places, were nearly extinct. In some parishes the poor rates, assessed on property, exceeded the whole annual rental, and no tenant would hold it, even rent free. Proprietors saved money by throwing their fields out of cultivation, thus escaping the payment of the poor rates.

In 1820, when England had but half its present population, and not one-fourth of its present wealth, the poor rates had risen to £7,300,000. The poor were paid for their necessities, not for their industry, and were tempted to increase the former, and neglect the latter. The pauper laborer received more relief if he took a pauper wife—and still more for every pauper child. Paupers married at seventeen or eighteen, and claimed the allowance the day after marriage. The poor laws thus gave a most unnatural and ruinous stimulant to a population, which already could not find work or wages. Relief from the poor rates was, practically, a bounty on indolence and vice, most injurious to the independent laborer, tending to bring him down to the pauper level.

A laborer could hardly get work out of his own parish,

for fear he might gain a settlement in another, and become chargeable to it as a pauper. The courts of law were full of suits between parishes, as to their liability to relieve the vagrant pauper—who was tossed about like a shuttlecock from one parish to another, each seeking to relieve itself of the burden. The laboring poor, thus restricted of their natural liberty of seeking a field for their industry, had almost returned to the state of villanage, like the serfs, the *adscripti glebæ* of the Middle Ages.

The effect of this State charity was hardly less injurious to the benevolent impulses of those who had the means of relieving suffering and want. Burdened already with heavy assessments for the maintenance of the poor, over which taxation they had no control, either as to its amount or its application, they were naturally tempted to say to the needy and ailing, "The almshouse and the hospital are there open to you; I am compelled to pay highly to support them. Go there for relief!" The poor laws discouraged all private voluntary charity; even made it an offense in many cases to ask for relief. They engendered feelings of hostility and animosity in the breasts of the paupers, against those who were compelled by law to maintain them.

Should the reader wish to master fully the effects of the "English Poor Laws," we would recommend to him Malthus's acute and thorough book on the "Principles of Population," a work much vilified by many who misunderstood or misconstrued its wise lessons.

In that part in which he treats specially of pauperism, Malthus has shown plainly—

"1. That although these laws may have alleviated individual misfortune, yet they have spread the evil over a larger surface.

"2. That no possible sacrifices of the rich could, for any time, prevent the recurrence of distress among the lower classes.

"3. That all systems of this kind tend to create more paupers.

"4. That the poor laws subject the whole class of the common people (laborers) to a set of tyrannical laws.

"5. That if these laws had never been enacted, the mass of happiness among the laboring class would have been greater than it is."

The Rev. Dr. Thos. Chalmers, the greatest light of the Kirk in this century, devoted much of his time and of his great powers, to investigating the question of pauperism. He was most anxious to save his own country, Scotland, from the curse and the blight of the English mode of dealing with it. In his essay on "Scotch and English Pauperism," he says—"We will confess that we have long thought that, in the zeal of regulating against the nuisance of public begging, some of the clearest principles, both of Nature and of Christianity, have been violated."—"As disciples of the New Testament, we cannot but think that, if told by our Saviour to give to him that *asketh*—there must be something radically wrong in an attempt, on our part, to extinguish that very condition, on which he hath made the duty of giving to depend." Again he says—"We can venture to affirm, and to the infinite honor of the lower orders of society, that *all which the rich give to the poor in private benevolence, is but a mite and a trifle when compared with what the poor give to one another.*"

In his essay on the "Extension of the Church and the Extinction of Pauperism," he says—"The right management of poverty (*pauperism*) is truly the darkest and

most unsolvable of all problems."—"No power of inquisition can protect a public charity from unfair demands upon it; and demands, too, of such weight and plausibility as must be acceded to, and have the effect of wasting a large and ever-increasing proportion of the fund, on those who are not the rightful and legitimate objects of it." After urging his plans for elevating the tone and character of the people by moral and religious training, he says—"Should this fail, we must prepare our minds for a conclusion, far more tremendous than the continuance of pauperism, with all its corruptions and miseries."—"Should it be found that it owes all its inveteracy to a great moral impotency on the part of mankind, from which no expedient, within the whole compass of natural or revealed knowledge, is able to deliver them!"

Perhaps the worst effect of the relief of pauperism by the State is, that it tends strongly to make pauperism hereditary. The children and the grandchildren of paupers grow up with sentiments, and under impressions, which prevent any persistent effort to raise themselves above the condition of a pauper race. Like long-imprisoned captives, they are depressed "Till bondage sinks their souls to their condition!"

Poor laws are not exactly the invention of modern times, or even of the Middle Ages. The Athenians had their poor laws, in perhaps the worst possible form. The paupers not only had a voice in appointing the amount of relief, but it was partly drawn from the treasury of the allies of Athens, of which Athens was the keeper. Relief was so distributed as to offer workmen the strongest inducement to neglect their private business, in order to attend the public assemblies, and their monstrous courts,

with five or six hundred citizens, as jurors, where every man was paid.

The Roman poor laws took another form, perhaps quite as objectionable—and, it may be, more costly to the tributary provinces. By the *Leges Frumentaria*, for centuries corn was issued *gratis* to the poor citizens. This bred up a crowd of paupers with political influence in the State. For the great body of the real laboring class, the slaves, derived no relief from these poor laws, either at Athens or Rome. In the time of Augustus Cæsar, two hundred thousand citizens were fed as paupers, in the city of Rome.

In the time of the Byzantine empire, the mass of the people of Constantinople recognized as the chief duty of the State, the providing the mob with bread and public diversions. *Panem et Circences.*

In the Middle Ages, when the Church of Rome was at the height of its prosperity—it assiduously and politicly practised, as among its chief duties, the feeding of the the poor, and hospitality to the rich. For these afforded the best plea and the greatest facilities for its grasping acquisition of land, and of all kinds of wealth.

The French Government, in the last century, and this, has often imitated that of Rome. When the mob of Paris grew clamorous at the high price of bread, the authorities, at times, compelled the bakers to sell bread below cost, reimbursing them for their losses, at the cost of the rest of France. They did not fear the mobs of the smaller cities, or of the country at large. Half loaves must do for them.

Hospitals and pensions, furnished by the State, for soldiers and seamen, are not charities. They are in part payment of debt, for service done.

XLIII.

We have already dwelt somewhat on the provision Nature has made for the spontaneous diffusion of knowledge and the arts throughout society.

It is obvious that it is just as natural and obligatory on parents to teach and train their children; as to feed, clothe, and shelter them. Religious people (and as they form no small part of most communities, and have rights and duties, like ourselves, we are bound to consider them, however completely we may be without God in the world)—all these will agree that the education and training of their children are duties imposed upon them by their Creator, and rights given exclusively to them. And we know that this conviction has, practically, operated so actively on parents, even those who make little profession of devotion, and even in semi-barbarous regions; that parents either taught their children their own arts, or, perhaps, more often induced some other persons to undertake their instruction in theirs. From this custom sprung up the universally known system of apprenticeship, from the French verb, *apprendre*, to learn or teach.

This system of apprenticeship to numberless trades and professions was really suggested by Nature; and has, from the remotest times, done more for the education of mankind, and for the formation of character, than any other system of teaching can possibly do. For most parents, having freedom of choice, as to whom they will intrust with the teaching and training of their children, exercise this right and duty with no little anxiety and caution.

Apprenticeship is by no means limited to handicraft trades. It has been found that most of the highest branches of professional knowledge and skill are best acquired in apprenticeship. There does not appear to be any limit to its application. Lord Chancellors have begun their careers at the law, as copyists to members of the legal profession. Men of the highest scientific attainments, as Agassiz, often find it convenient to have one or more handy and intelligent youths about them, while making their collections, experiments, and researches. It is now the better opinion that the most learned and scientific professions and pursuits, as law, medicine, civil engineering, chemistry, natural history, etc., are best taught to apprentices.

From the first dawn of letters and science, a class of men have appeared among every intellectual people, eager for the acquisition of knowledge, and, many of them, not less eager to communicate their knowledge to others. These have been the successful teachers of mankind.

An utterly unrestricted method of teaching, varying with the character, views, and objects of those who undertook to teach; from that of the pedagogue, who would never let his pupil look off of his book, to observe anything beyond its pages, to that of Pestalozzi, who sought to make his pupils familiar with things in the concrete, by object lessons, leaving abstract ideas to come later (a theory long before advocated by Milton); or that of the tutor, who took his pupils to travel, to show them the busy and various world, and master living tongues—all these have their merits; and they afford opportunities of comparing and contrasting the results of different systems. And doubtless the best systems now

in vogue are the result of this perfect freedom in the profession of teaching. Out of these contrarieties may be elicited the best modes of instruction. No one method is the best. Much depends on the character and idiosyncrasy of the pupil to be taught. Nature has given the right, and imposed the duty, on parents and guardians; and the responsibility of choosing the method of education lies with them alone.

It is admitted that the people of Attica were the most intellectual branch of the most intellectual race of antiquity, the Greeks. Who was it that, discarding mere speculative inquiries into Nature's mysteries, first effectually taught the Athenians to look into their own minds, and search there for reasonable convictions as to human character and principles of conduct, in private and public affairs of daily occurrence? Who taught men their real ignorance in matters which they thought they understood, by leading them to define correctly that which they aimed at; and furnished them with a logical method of making a sure and real intellectual progress? It was Socrates!

His method of instruction was apparently the most immethodical; consisting of question and answer in ordinary casual conversation. But, in reality, it was perfect for its purpose; to teach men their own ignorance and want of logic. Without any motive of personal ambition, or of gain—for he did not seek office, and refused all fees from his pupils—he devoted a long life, most industriously, but unostentatiously, to opening the minds of the young Athenians of all classes, to the true paths of intellectual and moral progress.

When he was about seventy years old, the corrupt Athenian democracy, on the false plea that he brought

the religion of the State into discredit, and perverted the youth of Athens by his teaching, put him to death, condemning him to take poison; which he swallowed with as much philosophic composure as he had lived. It is impossible to say how much Plato, Xenophon, and the many others of Socrates's world-renowned pupils, including Aristotle in the next generation, owed to his training in the art of using their minds. And these were the great teachers of future ages, and of other countries, far beyond Greece, in her best days.

From the time of Socrates to this day, so many men of more than ordinary abilities and attainments have zealously given their lives, in many cases, from purely disinterested motives, to the instruction of the ignorant, that it would be impossible to name them, or even to estimate their number.

There has been no civilized country, in either ancient or modern times, but especially since the beginning of the Christian era, which could not furnish a long list of these independent and voluntary teachers; who have spent their lives battling against ignorance, yet often frowned upon, and persecuted by the government and the people of their own time and country. Nearly all we know we owe to these men. The very variety of their mental traits, and of their views, secured great freedom of inquiry into men's possible attainments, and full opportunities of comparing the various modes of teaching, and of developing the mental powers in the pursuit of every branch of knowledge and skill.

The persons, who have shown the most self-sacrificing zeal in organizing and maintaining the means of education, have almost always been among the most devout and pious in the community. They devoted their learning,

their labor, and their money, to promote the instruction of the young and the ignorant. These are the people who founded schools and colleges.

But all governments have naturally a violent tendency to usurp control over matters foreign to their jurisdiction. Great powers are, indeed, needed to enable the State to protect effectually the rights of individuals. But these powers, having no personality, cannot exercise themselves; but must be exercised by individual men. There at once springs up a keen and fierce struggle between individuals, to act for the State, and exercise some of its functions. The chief labor of those who get into office, is to keep themselves in place. And they look around, in every direction, to win supporters, and swell their patronage and power. The more varied the duties assumed by the government, the larger the revenue to be expended, the more support can those in office purchase, to sustain them there.

When they see the copious streams of benevolent charity flowing from thousands of private fountains; they recognize them as a great power, which, in the hands of the State, could be applied to manifold uses—and influences, for political purposes—and they at once set to work to guide these streams into channels of their own choosing.

From their training as politicians they have learned to look upon every enterprise, at least all expenditure for the benefit of the community, or any considerable part of it, and any influence accruing therefrom—as properly belonging to the State; and think that it ought to be under the jurisdiction of its officials. They, representing the State, greedily grasp at it, and appropriate it to their own purposes. It will at least enlarge their patronage, by placing some offices in their gift.

For the supervision and management of a charity, of any kind, may afford a partisan a living, and something more than a living. Gil Blas's sanctimonious friend, *Senor Manuel Ordonnez*, who had grown rich by taking care of the funds of the poor, is not a unique, or even a rare character. An adroit statesman, by getting all possible posts into his gift, can convert a multitude of men of every variety of capacities, into zealous and active partisans. The finding plausible excuses for multiplying offices in the gift of the State, serves a great purpose with the average statesman.

This propensity has shown itself of late years, in many countries. Whole professions and classes, employed as administrators of charities, agents for the enforcement of complicated sanitary regulations, a multitude of teachers in State schools, being gradually drawn into the ranks of the paid agents of the State—on ingenious and plausible grounds—vastly swelling the patronage of rulers. "The cry is, 'Still they come!'"

XLIV.

We must not pass over so cursorily that monstrous and growing usurpation, the claim that it is the right of the State to control education. This is perhaps the grossest usurpation that threatens true liberty.

If the State has a right to control the education of the young, and have them taught what the State deems it necessary that they should know, then a Roman Catholic State has this right; a State in which the Greek Church is by law established has it. So of a Mohammedan State—and a Buddhist State also—any State, indeed,

with a religion established by law; and equally, any State which, like that of France, in 1792, proclaims that there is neither God nor Devil—neither heaven nor hell —no hereafter. Even now, France approaches to these dogmas.

All thoughtful and pious parents recognize it as a God-given right, and a God-imposed duty, to provide for the training of their children according to their own lights and convictions—and that the mere intellectual, cannot be safely separated from the moral and religious training of the young. It is more especially the duty of every body of believers organized for worship, to charge itself, through its influence with parents, with providing schools for their children. Nothing short of gross immorality, or criminality in the parents, or abandonment of their offspring, can justify the State in usurping, from the parent, this sacred right; and then, not on the ground of control over education, but only the right to guard against nuisances.

The question as to State education is a living issue, surrounding, pressing upon us. It is a vital attack on true liberty. Shall the State usurp the right of thinking for private persons, on a matter that concerns their domestic life and duties? It has already destroyed most of the private schools, even those of the best class. It aims at rooting them out utterly.

Here, in Ontario, the largest province in Canada, there are what are called "separate schools." That is, the Roman Catholics claimed, and, not without much opposition, their claim was admitted, that if they were to be taxed for the support of public schools, what they paid should not go to the maintenance of these schools, but to the support of Roman Catholic schools for their children,

without their running the risk, or rather, the certainty, of their money being perverted to uses hostile to their faith.

But there are a class of people, we know not how numerous, urging the abolition of these "separate schools," as distinguished from the common schools of the country. And not a few of these people would make it compulsory on parents, not only to pay for the support of these common schools, but to send their children there. This is the direct tendency of the claim of the State to control education.

I feel myself to be not unfit to discuss this matter impartially, inasmuch as I am not a Roman Catholic, and am, perhaps, as well informed as to the aberrations of the Church of Rome from pure and unadulterated Christian doctrine, as any of these partisan, or fanatic, or latitudinarian adherents of the flexible Christianity in vogue at this day; and far better than any of the unbelievers and agnostics who profess to feel an intense interest in the education of the youth of the country; and many of whom thrust themselves, or seek to thrust themselves, into office, as inspectors of the public schools.

I believe the Church of Rome to be a Christian, but, on not a few points, an erring Church. But it has not erred so widely as some Christian sects which seem to have condensed their theology into one great, compact dogma—"The further from Rome, the nearer to truth and to God!"

On one point it has not erred, like many of these self-styled Protestants, but has wisely refused to intrust the teaching of its children to any one not selected or approved of by itself. It fully recognizes, in theory at least, the great truth, that the education of the intellect cannot be

safely separated from moral training and religious instruction; and that nothing is more important in education than the associations and companionship which the school brings with it; and moreover, that it is difficult, often impossible, to limit, to his special branch, the influence which an able and skillful teacher may acquire over the minds of his pupils.

Not a few of the teachers and inspectors of these public schools are agnostics, and advocates of compulsory attendance of all children on these schools. Of the competency of the staff of this public school system we will give a late and striking illustration. The books to be used in the school are appointed by Government authority. One book that might be used was Scott's "Marmion"; but the Minister of Education (Ontario has such an official) lately found out that it was an immoral book; and put Sir Walter's best narrative poem in his *Index Expurgatorius*. Our reader may discover for himself where the literary heresy lies.

Let us suppose that we, who are not Roman Catholics, were to find ourselves, from the result of a great migration from Ireland—no impossible event—surrounded here by a greatly preponderating population of adherents to the Roman Church, carrying every election, filling every office, and the public schools with Roman Catholic masters and mistresses; making by law these "separate schools," now complained of by the fanatic advocates of State education, the public schools of the country, and enacting compulsory attendance on them by all school children! Would these grumblers against the present "separate schools" object to this measure? On what grounds could they do it? Some of these would-be reformers call themselves Protestant Christians. They

would be apt to become protestants against State education.

Judicious parents know that nothing in education is more important than the companionship schools bring with them; and not seldom remove their children from a particular school, not on account of the teaching, but the associations.

As to the course of instruction, we must repeat that it is especially the duty of all religious organizations to provide schools for the education of the young; and to exert their influence with parents to send their children to schools where the instruction of the intellect is united with, at least not divorced from, moral and religious training.

Which are the countries, that, of late days, have made the most strenuous efforts to control education? And what, there, has been the result?

North Germany, or rather Prussia, took the lead. There are many curious facts in the spiritual and intellectual history of North Germany. Charlemagne waged long wars of conquest and extermination, nominally to Christianize the heathen there; but that work was really accomplished, before and after his time, by many eminent missionaries, famous in the annals of the Church in the Dark Ages—of whom St. Boniface, an Englishman by birth, and, in his old age, a martyr to his zeal, was one of the earliest, and the most famous of them all.

In the thirteenth century, the "Teutonic Knights," a religious military order, originating in the Crusades, imitated and revived Mohammed's and Charlemagne's process of conversion, by making war on the heathen inhabitants on the southern shores of the Baltic. They made great conquests, and became the sovereigns of Prussia. North

Germany was now Christianized, or at least, Romanized, until the time of Luther; who, with Melancthon and others, purified the Church of some of its abuses, and North Germany became the eminently Protestant country.

But the Prussian State, which had become a kingdom, assumed in this present century, the control of education. The Lutheran Church and the Reformed Church in that kingdom, were by the sovereign authority of a most devout monarch, amalgamated into one body, apparently, with little difficulty; which fact proves that both of these religious organizations were dead at heart. Neither Luther nor Swinglius would recognize or acknowledge this re-hash, dished up out of the effete remnants of these two churches.

The intellectual and spiritual revolutions of North Germany continue to be singular. The human mind there seems to be too restlessly inquiring to hold on to any fixed belief. Now, in Prussia, and elsewhere in the German Empire, a large portion of the children born are never christened. A large portion of the people never enter a place of worship; and, dying, are buried without the remotest allusion to the possibility that their past life here, may be accompanied and followed by any responsibility in a life hereafter. This great change, since Luther's day, is due chiefly to "State education." Under its training the people have become too philosophical and scientific to tolerate any superstition of the Dark Ages.

As to State education in France, the French, under the training of their philosophers, the chief of whom was the witty and profligate Voltaire, threw off their Christianity more than a century ago; and, after that, in the

orgies of their bloodiest of revolutions, they publicly deified the goddess of liberty, making her second only to *St. Guillotine*. Their system of State education, as now organized, is zealously sustaining their freedom from superstition by denouncing Christianity, and by persecuting the remnant of the Church yet lingering there.

England, entering later than Prussia, on the usurpation by the State of the control of education, has, through some surviving counter-influences, not yet got so far in remoulding the minds and hearts of those she would instruct. Accidentally, the clergy of the Church of England, and those of the Scotch Kirk, have been able to retain much influence over education, even in the State schools. But this is only tolerated as yet. Both literature and science are there making great progress in unbelief and agnosticism, and the full effect is yet to be seen.

In the United States the strong tendency is to enforce education by the Government with a careful exclusion of religious instruction. It is held there that, as universal manhood suffrage is the sole basis of government, every voter should be educated at the cost of the State. But in fact, at least in law, the Federal Government has no rights or duties as to State education; for that, if it rests anywhere, lies with the individual States.

If education, which is very general in the United States, has had any effect on crime, it has been simply to increase it. The criminals are far better educated than they used to be, and crime is more rife than it formerly was.

In Canada, the Government has entered fully on the assumed duty of State education. We already see some of the effects: an increasing desire to make attendance

on the public schools compulsory, indicating a hostility to private teaching, and the wish and aim to abolish private schools. The pretense of teaching the elements of all the sciences in the State schools, where children acquire the names of abstruse branches of learning and science, from teachers, themselves not well-grounded in the rudiments. Children elaborately drilled in new-fa l systems of grammar by masters, and yet more by mistresses, of no general reading beyond the daily paper, and unable to speak pure English. An immense stress laid on arithmetic, so that the multiplication table takes the place occupied, among Christians, by the Apostles' Creed. After a year's training at these schools, a marked deterioration can be seen in the manners and morals of children who have been well brought up elsewhere. The political patronage this system of public schools affords is of important use, and perhaps its chief recommendatic to politicians.

It so happened that, when a very young man, I was, for a time, thrown much with a physician, a man of much ability, and of considerable attainments in physical science. He had practised for several years in one place, got dissatisfied there, and was seeking another field in which to follow his profession. I knew little of his history, nor why he left his former place of residence.

I was much struck with his extensive knowledge on many points, all bearing on physical science. His mind was acute, vigorous, and well stored, and I probably learned not a few things in physics from him. But I was yet more deeply impressed, on finding that to all moral inquiries, to all spiritual impressions that acute mind was callous, and had remained blank. He seemed to have but one accidental moral quality—frankness. It

was as if one lobe of his brain, devoted exclusively to physical research and material impressions, had been developed to full health and vigor; while the other lobe, which should have been employed on moral inquiries and spiritual experiences, had been purposely kept idle, and had become shriveled and perished. These impressions have stuck to me, and further opportunities of similar observations have convinced me that the assiduous exclusive pursuit of physical research, gradually withers the moral and spiritual side of a man's nature.

I never knew but one man who, entering very early on the pursuit of the physical sciences, and long following up his researches with enthusiasm, actually passed through physics into metaphysics, and so to moral inquiries; yet he did not abandon physics. I recognized him to be, through some unknown influence, an exception to the result of the exclusive study of physical science.

Now to apply this. The army of schoolmasters in the pay of the State find it easier to exhibit a marked and measured progress with their scholars, in the exact and materialistic studies, than in those which bear on moral, and, possibly, on spiritual matters. As the employment and promotion of these teachers depends on the exhibit they can make of proficiency in their pupils, they lay the greatest stress on the first class of studies, which admit more readily of being measured, and they undervalue and neglect the other class.

Have you ever remarked the keen zest with which students of medicine, and especially of anatomy, pursue their studies, and compared them, in that respect, with students of language, law, or divinity? Physical science has a sort of fascination for man. He is more prone

to the physical and animal side than to the moral and spiritual side of his nature. Many people, all pious persons, who are aware of this tendency, are anxious to counteract it.

The claim of the State to control education necessarily becomes an ever-growing exaction on the community. It weakens parental responsibility, loosens filial ties, fosters the presumption of youth, and unfits a large portion for their future occupations. It generates two classes of people who are always urging it on to extravagance. 1st. A vast array of State teachers, who, to exalt their own importance as State officials, urge the extension of the course of instruction. I have known it made to embrace music, French, and German. 2d. A numerous class of parents, who would have their children obtain as complete an education as possible, provided it is not at their own cost. They would gladly include foreign travel on those terms. This claim of the State is a growing *incubus* on society.

I cannot conceive what right the State has to take my earnings to educate even my own children—much less my neighbor's children—still less the children of a man I never saw, or heard of. It has as much right to take my earnings to feed, clothe, and house them; or to require me to take them into my house, and bring them up with my own, and as my own. State education necessarily causes a vast amount of misapplied effort and cost for education. For the State has not, like the parent, and the private teacher, the means of judging what sort of education the pupil is qualified to receive, and how far it should be carried; what it should include, and what exclude.

The State steps in to relieve the parent of a sacred

duty; to do his thinking for him, and to spend his money for him, in teaching his children, and other people's children, at his cost. There shall be no more ignorance! the State will give to the young a scientific education without any taint of Middle Age superstition. We are grieved to see what is the class of men into whose hands the guidance of the education of youth in the State schools is falling. There are now plenty of men of science quite ready, on a good salary, to pervert other men's foundations, and inculcate Comtism, Tyndallism, Huxleyism, Haeckelism.

To my mind, it is impossible to exhibit a more glaring example of folly and presumption than that of men of learning and science taking their stand in the midst of the universe; gazing inquiringly into its wonders, which they do not fully see; making prying research into its mysteries, which they cannot unravel; sounding the depths of Nature, which they cannot fathom; and then proclaiming that the human intellect is the highest order of intelligence that manifests itself to us. The astronomer vainly striving to map out and measure the extent of creation, and at the same time atheistically denying the proofs of design, and of a designer; and the existence of final causes, and of the *causa causarum*, the author of them; would be the most ridiculous of objects, if, with his teaching and example, demoralizing his race, he were not the most deplorable object in Nature.

It is likely that if modern States had usurped the control of education two, three, or four centuries ago, the world would be now far more ignorant than it is. We infer this partly from the fact that for some centuries, in the Middle Ages, the Church of Rome had almost a monopoly of education throughout western Europe, and

did not use it to advance the intellectual development of society. At a later day the Jesuits, a body of eminently able and learned men, acquired an almost equal control there over education, and, with eminent ability to teach, grossly perverted the end of their teaching.

There are many indications that the ancient Egyptians received a national education from the priesthood, and the Chinese through their philosophers and the Buddhist priests. And in both cases this semi-State education seems to have stereotyped the national intellect, rendering it incapable of progress, only of copying and repeating the works and the thoughts of their forefathers.

It is utterly impossible to foresee what may be the ultimate result of the control of education in the hands of any government. Nature, assuredly, did not place it there.

One branch of education the State must take charge of — military education. But that it should merely superimpose on the liberal education private teaching has settled on.

XLV.

We have dwelt long on the usurpation by the State of the control over charities and education; not because they are the only, but the chief usurpations, and those which as yet they have pushed farthest.

We will speak of some other usurpations of the State. For instance, men have an exclusive right to make their own contracts.

In the best-ordered community, individuals will have disputes with each other as to their rights. The State, in the fulfillment of one of its two great duties, the admin-

istration of justice, alone can decide the questions between them. It must enact rules and establish courts for examining into and deciding these controversies between the parties, many of them springing out of matters of contract.

The State is often called upon to define rights in its legislation and to adjudge them in its courts. But this is quite a different thing from creating rights, or granting them, or taking them away. The State has not a shadow of claim to alter contracts made between individuals; on the contrary it is one of its most important duties to enforce their fulfillment, unless it can be shown that they are immoral, illegal, or fraudulent. And then the State is bound to place the parties as nearly as practicable in the same condition they were in as to each other before the contract was made.

In cases which turn on title or right by long possession, or claims after the lapse of long time, as under the statute of limitations, or under the statute of frauds; the State merely refuses to interfere and investigate a claim after the claimant has so long slept upon his rights, or neglected the proofs of his claim.

Yet many States have often violated this right of men to make their own contracts, as the British Government has, we think, of late repeatedly done most grossly, and on a large scale, merely on grounds of temporary political expediency.

So in the United States several *temporary* Bankrupt Acts have been enacted, under the influence and pressure of the heavily indebted classes, who sought to be relieved of their contract obligations, and set free to embark on new financial speculations. This was making very free with contracts.

Another State usurpation has taken a peculiar shape. The right which a man has to the protection of the State does not deprive him of the right to protect himself. He has not surrendered the one to receive the other.

For instance, a traveller, if told on his journey that the road ahead is beset by a highwayman, is in no way bound to change his route or apply for police protection. He has a right to take his chance in protecting himself. So if a man be told that a burglary will be attempted on his house, he has a right to hold his tongue and defend his house as his castle. In both these cases he is serving the public. He is making crime dangerous to the criminal without the unreliable aid of a jury. Legislation against self-defense tends strongly to emasculate a people. Fools must have made up the bulk of the parliamentary body which enacted laws making it a penal offense to wear secret weapons. The proof of their folly is this: the law only disarms the law-abiding, leaving them unarmed before the law-defying. At the most, the carrying of concealed weapons may be under some circumstances an indication of criminal designs.

Another usurpation which many States have been, and still are guilty of, is the prohibiting people from leaving the country. This is surely a gross infringement on natural liberty. For a free man has a right to go where he pleases, provided he is not leaving at home unfulfilled obligations; or in time of war going into the enemy's country. For this is a sort of desertion to the enemy.

No State has a right to grant monopolies, for they are oppressive outrages on men's natural rights. Yet most States have granted them to individuals and companies, or have themselves usurped and exercised them. Of late the latter are most frequent, and may be made the

most oppressive. But what is a monopoly? It assumes a variety of shapes. The exclusive right to import into the country a particular class of goods, or to manufacture, or to deal in them, is a monopoly. So the exclusive right to do particular acts, or to render certain services not necessarily done by State agents. Thus we believe that in some States in Europe the importation and trade in tobacco is a government monopoly. And in British India the trade in opium seems to be a monopoly of the Government.

But if a person contrives some new machine or technical process of doing some useful work, or if an author compose a book, the patent granted to the former and the copyright granted to the latter are not monopolies. They are simply certificates from the State that the article or process patented and the book copyrighted, are the fruits of the labor and ingenuity of particular persons. And men have by nature an exclusive right in their own labor and ingenuity, and in the fruits of them, if they choose to reserve them for their own use and profit. The State should protect this right as all others. Any other man is at liberty to invent a better machine or process for doing the same work done by the patented machine or process, or to compose a better book than the one copyrighted, on the same subject, and thus possibly deprive them of their value on sale. The only restriction laid on the later inventor or author is, he must not avail himself of the invention or composition of his predecessor. He must not build on another man's foundations.

So the State may justly exact from members of such professions as expect to live by their practice among the community, some security that they are what they pro-

fess to be. Thus, the legal profession are in some degree officers of the courts in which they practise; and are not admitted to practise there until they have certificates from some appointed schools of law, that they have gone through a certain course of studies, and stood a satisfactory examination in them. So with those who seek to practise medicine. The State exacts from them proofs that they have qualified themselves for this profession, as certified by the diploma of some authorized school of medicine. And so with all professions which require a training in high and difficult branches of science and art—as apothecaries, chemists, surveyors, and engineers. For many persons on the lookout for the means of living, are quite ready to assume any of these professions with little or no qualification for them, trusting for success to their plausible pretensions, and the gullibility of the bulk of the community. The State is bound to take these precautions, and exact proofs of competency in professional men, who seek to live by the practice of callings which imply elaborate and somewhat occult preparation for their mastery. This is necessary for the protection of the ignorant and the incautious; and is not granting a monopoly, for it grants no exclusive right, nor limiting the number of professional men.

It may seem strange to some people, who have all their lives found an institution of the State, a very great convenience to them; and learned to look upon it as a necessary of civilized life, to hear me call it a monopoly, and a State monopoly—I mean the post-office. Yet when we trace its origin and history, we find that it has become a monopoly; and more than that, the fruitful mother of monopolies—at least, its extreme convenience has suggested, and is suggesting to States, others of a most dangerous and usurping character.

In very early times States with wide territories soon found that they needed an establishment of couriers, posted at many points, for the speedy conveyance of orders from, and intelligence to, the seat of government. The earliest system of post we know of was that in the Persian Empire. The *Itinerarium Antonini* implies a similar provision in the Roman Empire. All extensive States doubtless followed these examples.

Merchants and others soon found out that it would be more than convenient for their correspondence to be carried by the State's courier; and court favor or bribery got their letters so conveyed. The State, too, found out that this carriage of private correspondence might be made a source of revenue. The post-office gradually became a department of the government, and to make it more profitable, private persons were prohibited, under heavy penalties, making a business of conveying any correspondence. That service was made a monopoly of the State. Doubtless, besides the revenue, the power of examining political correspondence was a motive. We have known this done.

In England the post-office was long a source of great revenue, and still is, although latterly the policy has been to cheapen postage for the convenience of the people.

In the United States, on the other hand, the post-office never became a source of revenue, but until very lately was a burden, costing the country seven or eight millions annually. Still the postage was cheapened, that the Government might boast of performing the great duty of carrying to every man his letters, and yet more his newspapers, cheaply, to keep him educated and informed on public affairs, at the least possible cost. Yet it held on to its monopoly, laying heavy penalties on any who interfered

with it. Now this monopoly is evidently an artificial system, preventing matters taking their natural course; compelling some people to pay the greater part of other's postage in the shape of millions raised to pay the deficiencies and losses of the post-office. If the conveyance of letters were free to common carriers, such as the express companies, the cost of postage in cities and towns would be yet lower than it is. People who live in out-of-the-way places would have to pay more for their correspondence, as they should. If the post-office had not been one of the especial prerogatives (monopolies) of the United States, the people would have saved millions annually, and besides have escaped the robberies of the *Star Route* contractors. But the Government holds on to this monopoly, at any cost, for it gives it the control and patronage of 60,000 office-holders. It seeks, and is urged to seize on other monopolies, as to become the sole common carrier and intelligencer, by monopolizing the railroads and telegraph lines. Doing these parts of the people's business for them will give the Government the patronage of another army of office-holders.

For the great convenience and apparent success of this post-office monopoly has set some wild ideas afloat through the country. It is furnishing stepping-stones for wild projects of Government monopoly. If it can so well convey every man's correspondence for him, why should it not perform many other services for the people. There are men in the country widely listened to, by multitudes who have votes, if they have nothing else, urging that the Government should appropriate the railroads, telegraph lines, the education of all children, the regulation of labor and wages, the abolition of patents and copyright, the acquisition and the ownership of coal mines,

iron, gold, and silver mines, and petroleum wells—in order to attend better to the people's welfare. To crown all, the Government is strongly urged to make itself the sole landholder in the confederation; or at least to confiscate all net rent, for the equal benefit of all the people.

The smaller monopolies of former days dwindle into nothingness before these splendid examples of State usurpation about to be carried into operation.

XLVI.

The searching ingenuity of these reformers has suggested another line of usurpation to the United States Government.

A State has a right to enact sanitary laws, and to abate nuisances. This is a part of the administration of justice. The creating of nuisances and neglect of sanitary precautions are wrongs to other people.

In what way does the need of sanitary laws arise? Directly out of the habits and pursuits of human society. Animals in a state of nature, undisturbed by men, are healthy, cleanly, and content, under the guidance of their instincts. Men, under the guidance of their reason, are discontented with their state, constantly striving to better their condition, and often altering it for the worse. They become filthy in their habits and surroundings, sickly from privations and exposure to causes generating disease, and become sources of contagion in their persons, and yet more in their homes, to their neighbors; especially where trade and manufactures draw many together, and accumulate perishable materials at one point.

The offensive refuse collected in and around the winter

huts of the Esquimaux, the leavings of a long winter of uncleanly living, does not exceed that which would gather in and about many places where population is crowded together by traffic and industry. What would be the condition of the tramp-houses, in large European cities, or of the tenements in those American ports, where hundreds of emigrants, whole colonies of Irish and other foreigners, are crowded together—hundreds under one roof, two or more families at times in one room—but for the enforcement of sanitary regulations as to ventilation, drainage, removal of filth, and of the remnants of unwholesome trades?

But the sanitary regulations should be limited to necessary sanitary objects. They may be, and are easily perverted to intrusive, intermeddling, oppressive ends; and become nuisances themselves, doing far more harm than good, violating far higher laws. Many examples might be given of this. I will content myself with one, which I know will meet with opposition. No doubt vaccination is a safeguard against small-pox. A State may well make it the prerequisite to entering its service in any capacity, and thus familiarize people with it as a wise precaution. But it is an infringement on natural liberty to compel anybody to submit to vaccination.

Some of the new reformers in the United States have taken sanitary laws under their special patronage. One of them in his advice to the Government, not unsolicited, says: "The present system under which Boards of Health act is not effectual, as is seen by the state of the public health in all great cities." "I recommend the establishment by Congress of efficient Boards of Health—under a comprehensive system and policy."

This is coolly proposing to Congress to abolish the

Boards of Health established by the States, and the municipalities of cities, as ineffective; and to substitute for them, by the authority of the Federal Government, a national Board—with more arms than *Briareus*, one reaching to every populous or sickly locality in the confederacy, to take sanitary matters under its control there.

Such a usurpation and concentration of power would be a greater evil than a visit from the plague or the cholera. What an intermeddling and costly nuisance would this prying, dómineering agency become to the privacy of every home! How incompatible with freedom! How utterly foreign to what the United States Government and the State governments profess to be!

All these reformers utterly forget that the United States profess to be a confederation of States; or rather, they aim at destroying more completely than has yet been done, the Federal character of the United States Government; and convert the States, the creators of the confederation, into the provinces of a sovereign concentrated power.

We have had occasion to speak of the theory of "eminent domain." Have they forgotten that, even under that theory, "eminent domain" does not vest in the United States—unless in the Southern States which were conquered in the War of Secession? Even there, in all cases of escheats, the escheated land goes to the State. The United States Government cannot grant a charter for a railroad from Buffalo to New York City, or from Pittsburg to Philadelphia, or from Springfield to Boston —for Massachusetts, New York, and Pennsylvania claim to be States, and that "eminent domain" lies in them. They hold that the United States Government is only a Federal Government for certain purposes specified in the

Constitution. But these reformers would sweep away what remnants of this Constitution are yet left. It never was anything more than a treaty between States; and now it is but a broken treaty; and they would have it utterly forgotten.

XLVII.

In these latter times there has been a great crop of these dreamy, visionary, political theorists; utterly dissatisfied with the social and political institutions of their time and country; indeed, burning with zeal to reform and revolutionize the world.

Without going into further details of their conflicting views and teachings, we cannot help commenting on one point in which they all resemble each other: the indications of an astounding ignorance of human nature.

They all look forward to radical changes in the traits of mankind—a perfectibility, the result of a gradual or sudden development, by education or training, to larger and higher views, the effect of their enlightening instructions. Humanity, according to them, is made of wax or plastic clay, to be moulded into new forms. And each of these dreamers hopes to be the creative artist who will furnish the mould to turn out the desired model. Or, rather, each of them imagines himself a great alchymist, whose wondrous art can convert the animal man into what he never yet has been, nor was meant to be. Do not these people know that the only [illegible] men have ever made to perfection, has been [illegible] the perfection of rascality?

Although little of a scholar, and less of a linguist, I know enough of the history of the languages and litera-

tures of several of the most intellectual races of men, to gather from them facts that seem to me to cut off all hope of a great intellectual improvement of our race at any future time, by that education and high training, to the accomplishment of which the most radical of our revolutionary reformers would devote the confiscated rental of all the land in the United States.

If you take in chronological order the literature and language of the Greeks, the Romans, the Italians, the English, the French, and the Germans, you will find that each of these literatures, tongues, and peoples, had a period of genius, of invention, and of originality, during which the language and race are rising to their highest point of development. This is followed by a period of criticism and scholarship, in which the race strive to rival their predecessors, but never rise to their level. This is followed usually by a long period of mediocrity. There may be a *renaissance*, but that regeneration always betrays a degeneration. Literature may be, and is, more widely cultivated; but the three stages of the national mind—originality and invention, criticism and imitative scholarship, and mediocrity and decline—never reverse their order. There seems to be no necessary connection between this *formula* of intellectual rise, progress, and decline, and that of the mechanical and useful arts of practical life and business. Nor does the use of steam, electricity, the telescope, the microscope, the solar spectrum, however much they may add to our knowledge and powers, produce any enlargement of the faculties of our minds, or make men *wiser* than they were.

A remarkable example of this, as to language, is shown in the late effort of a body of learned men to amend the English version of the Scriptures of 1611. They, in

many parts, violated the idioms and ruined the melody and pathos of the older version. This was owing to that version having been made by great masters of the English tongue when it had attained its perfection—when Shakespeare was writing his last plays, and Lord Bacon his short but inimitable "Essays, Moral, Economical, and Political." For then the language had attained its greatest power of expressing the thoughts, sentiments, passions, and characteristics of men in a perfection it has never rivaled since. We may learn from this experiment that the purity and force of our tongue has been largely preserved to us through nearly three centuries of eventful changes, by this very old version they sought to amend. They may have rid the Scriptures of one or two interpolations, as that in 1st John, chapter 5, v. 7; but they have made many other doubtful, if not false, corrections.

From these observations on the rise, progress, and decline, in the languages and the literature embodied in them, I infer that even for the most intellectual races of men there is a limit fixed by Nature, above which they cannot rise. Thus the literature in the United States is but a branch from that of England, transplanted in the period of mediocrity. Who wildly expects it to produce a Shakespeare or Milton? It would be wonderful if it ever became to that of England what the literature of Alexandria was to that of Greece.

Any observant man has opportunities of learning much of human nature, by merely closely watching the traits and conduct of the crowd of his fellow creatures around him. He may, too, if he be a reader, compare those he knows personally with what men have been in past times. For the history of man's nature, as shown by his

thoughts, words, and actions, under a vast variety of conditions, is accessible to us for at least twenty-five hundred years.

We have good reason to believe that wise Socrates must have often been forced to converse with fools in Athens, the very counterpart, in their nature, of those we meet with now. And Aristides, the Just, must have met with knaves there, quite equal to any this enlightened age can put forward. We have not, from the broadest experience within our reach, a shadow of a reason to believe that human nature, in its intellect, passions, motives, and innate characteristics, has changed within recorded time. Men have learned some things formerly unknown. In particular countries manners and habits have undergone great changes. Many men, of certain races, have learned many things. But the human race is the same it was in primitive times. The unjust are unjust still; the filthy are filthy still; the righteous are righteous still.

Some of these revolutionizing reformers are learned men, and, in a certain sense, men of ability, especially to make the worse appear the better cause. But at the bottom they have no more wisdom than "Jack Cade, the clothier, who means to dress the commonwealth, turn it, and put a new nap on it." "There shall be, in England, seven half-penny loaves sold for a penny; the three-hooped pot shall have seven hoops, and I will make it felony to drink small beer. All the realm shall be in common!"

Jack Cade, although less learned than these modern reformers, fairly represents them all. There are many reasons why these extravagances and absurdities should not surprise us. They are not new, but only more

prevalent than in former times. That is the alarming fact.

XLVIII.

To PROVE how apt even minds of the highest order are to go astray, when dealing with questions on sociology and politics, we will state that both Plato and Aristotle approved of infanticide, as a means of checking a surplus population, or of getting rid of deformed or feeble infants. Plato, if he meant his Republic for a treatise on practical politics, if I remember it correctly, shows an utter disregard for the marital and parental impulses which govern men in domestic life; making his citizens mere implements for political purposes; pawns to be posted on the chess-board and moved according to the exigencies of the political game. So much for the wisdom of antiquity.

Coming down to modern times, even to our own day, Grote, the banker, the learned historian of Greece, and commentator on the works of Plato and Aristotle, so bewildered his mind with classical studies, the theories of ancient democracy, and with Grecian mythology, that he became convinced that all the virtues he found so conspicuously wanting in the well-born people of his own time and country, he had found in perfection and abundance among the oligarchical slaveholders of Greece and Rome. He could not perceive, and never suspected, that the barons who met at Runnymede to wrest the Great Charter from King John, were stancher friends to human rights, better democrats, in fact, than his model patriots of the ancient republics. Grote was thoroughly classic in all his convictions. While he scorned all superstitious reverence for *Jehovah* or for *Christ*, he was so crazed with

classic mythology, that, on his visit to Pœstum, in Italy, his feelings of veneration were moved to deep religious awe, on viewing the crumbling memorials of the worship of Poseidon. (*The Temple of Neptune yet standing there.*)

The gullibility of men was never more strongly displayed, than when, in the last century, Rousseau's eloquent sentimentalities and bold speculations on politics and sociology, excited the most intense interest and admiration in the reading world of his day. Yet his great work, *Du Contrat Social*, is false in conception, and could only serve to unsettle and revolutionize society, keeping it in ceaseless ferment and tumult. And while he was writing his eloquent and much lauded essay, *Emile, ou de l'Education* (a subject he knew nothing about), he was sending his bastards, as soon as they were born, to the foundling hospital.

J. Stewart Mill, whose works and teachings have exercised wide and powerful influence over the convictions of his numberless readers, and beyond them, on others, in this generation, teaches the absurd doctrine, that wages should be equalized among workmen, and not proportioned to their ability and skill. As if Nature had not obviously provided increase of earnings as the stimulant to industry, and to the acquiring of skill; and narrow gains and want, as the penalty for indolence and negligence.

Proudhon, an otherwise obscure French author, was more successful than abler men; for he made himself famous and popular, by publishing to the world, in three words, his great discovery, that *La Propriété c'est vol.* At once a crowd of converts, political agitators, took up the cry. "Property is robbery! The bounties of Nature

are given to all mankind; who are defrauded by the exclusive possession of individuals."

There is no end to absurd propositions like these, each backed by the name of some would-be reforming philosopher. They serve well to prove the truth of the maxim which the wise Swedish Chancellor, Oxenstiern, impressed upon his son: "You do not know yet, my son, with how little wisdom men are governed." And they equally exhibit the truth of Luther's wise saying: "Human reason is like a drunken clown: help him up on one side of his horse, and he topples over on the other."

XLIX.

It is not very difficult to exhibit the errors and absurdities of men, even of learned men, and would-be philosophers and statesmen. The follies and blunders of governments are almost equally open to comment.

We of English origin, educated in English notions of the wisdom and justice of parliamentary legislation, and the maintenance thereby of natural and legal rights; are apt to overlook the many gross outrages perpetrated systematically, and even in the name of the law, on the natural rights of men, under the British Government. We will point out some of them.

1. The operation of the poor laws, especially in the eighteenth and early part of this century, was a tyranny, in its restrictions on the liberty of the laboring class.

2. The press-gang method of recruiting for the navy was in many cases far worse than the French Government's use of the Bastile, and of the *lettres de cachet*, or than that of the Russian Government's use of banishment

to Siberia. For doubtless many persons were justly arrested and confined in the Bastile; and many were deservedly banished to Siberia; but no man ever was justly seized upon, perhaps after being knocked down, and forced on ship-board by a press-gang. Charged with no crime, in the process of arrest he was treated worse than a criminal.

3. The outrageous usurpation of intermeddling with what men deem their God-given right to educate their own children—very often children not abandoned or neglected, but duly cared for, trained, and controlled by their parents.

4. The gross perversion of the duty of administering justice, in assuming the power to alter and set aside contracts between individuals, not illegal or immoral, on the ground of temporary political expediency.

These particular wrongs betray ignorance or disregard of the alphabet of human rights. To these the British Government have added political blunders of the grossest kind.

5. The absurdity of continuing to hold on to *graveyard* colonies, which have lost their value, or never had any, such as Jamaica, Cape Coast Castle, and other points in the West Indies, and on the coast of tropical Africa; thus wasting there the people's money, and the lives of soldiers, seamen, and officials, in these *pest-holes*.

6. There is one important matter, in dealing with which, the British Parliament have betrayed egregious incapacity. More than forty years ago the principles involved were pretty fully established, in the great controversy, the political battle on the "Corn Laws." It was then settled in Great Britain that it is a natural and essential part of a man's liberty and rights, to seek, for the

proceeds of his industry, and the supply of his needs, the best market the world affords.

Parliament at once proceeded to give to all British subjects in Great Britain, as far as possible, the benefit of this great natural right. It seems never to have struck them, that, if it was a right, British subjects in the colonies had an equal claim to it as those at home. If there had been one statesman among this crowd of politicians, he would have pointed out, and convinced them that this principle furnished the key to the true colonial policy of the Empire. The Government had only to hold one convenient port in each colony, declare it a free port, and thus secure to every British subject in that colony his great natural right of free trade, with every part of the Empire at least; and thus prevent the rise and progress of the fallacies of that "protective system"—which is but an adroit mode of robbing others for your own benefit. It is, perhaps, not yet too late to enter on this colonial policy of justice to all.

The colonies, to raise a revenue, besides honest direct taxation, might lay what duties they pleased on foreign goods. But every production of any part of the Empire, should be free of duty, with this one exception—any excisable articles, as spirits and other liquors, should pay a duty equal to the excise imposed at the point of importation. This colonial policy would make it an Empire which need ask no commercial favors from the rest of the world. It would add to the resources needed for the support of the army and navy, maintained for the defense of the whole Empire.

But the British Parliament were much in the predicament of Luther's drunken clown. In their old colonial policy they had attempted to tax unrepresented colonies,

and for that purpose made use, first of the "Stamp Act," then of a monopoly—the East India Company's—of the tea trade. Failing in their attempt to tax these colonies, they now toppled over on the other side, and permitted the other colonies to tax the products of the mother country, as foreign goods, which tended to make the colonies little worth keeping; not worth defending at any great cost.

We have spoken only of the blunders of the British Government, and, in our ignorance, have not exhausted the list. We will now refer to some, not peculiar to Great Britain.

What greater inconsistency in politics and law can be pointed out, than that a State should enact and enforce severe penalties for trespass on property, for highway robbery, burglary, arson, and other assaults on proprietary rights; and yet tolerate the open teaching by demagogues and seditious journals, using every art to convince the populace, that the appropriation by individuals of part of the material gifts of Nature, is robbing the rest of mankind? That this appropriation has generated a condition of society, and a political organization, so unnatural and tyrannous, that it should be overthrown at all hazards, at any cost—even the wholesale slaughter of those who persist in upholding it!

Is not the denouncing of property in land and other valuable possessions, a direct inciting of the multitude to robbery and bloodshed? And this done by crazy political fanatics, who would not scruple at any outrage, if they had the mob at their backs! Opportunity and power only are wanting to prove them monsters of iniquity, only to be rivaled by the heroes who distinguished themselves by their atrocities during the "Reign of Ter-

ror" and during that of the "Commune in Paris." How dare any State punish a man for highway robbery, even when attended with murder; yet leave unpunished these inciters to and propagators of crime; these tramplers on the legal rights, which the State was established to defend? Why does it not strip them of all property, if they have any, and make permanent provision for them in jail, penitentiary, or mad-house—where their ravings cannot unsettle the wholesome convictions of sober-minded men?

Is there such a thing as the comity of nations? When two States make treaties, and profess to be on friendly terms with each other, it is an outrage, not only against the law of nations, but against good morals and common decency, for one of them to shelter and defend, as citizens, fugitives from the other, who still claim to be citizens of one of the provinces of that other State which they have left, while they make use of the protection of the country which shelters them, as a safe point from which they may wage war against the country they have quarrelled with. It is an unheard-of outrage for the sheltering State to allow and encourage, by connivance, these men in making open preparation for wholesale murder abroad, and openly experiment on the efficiency of the devilish contrivances they are preparing to accomplish their warlike projects, as they call them; but, in truth, their plans for wholesale assassination.

They avow that, in this enterprise, they have no scruples. Taking them at their word, we will state an undertaking in which many of them would gladly embark.

Some very foolish people, having more money than brains, have entered on a project to make a tunnel under the channel between England and France. The only reason for making it, is, that some squeamish people, in

crossing the channel, suffer two or three hours' seasickness.

As yet, the ministry, taking good military counsel, faintly refuse their assent. But *Barbarossa*, and some other dynamite Irish patriots, hope that the ministry may ultimately yield their assent to the project. Then these patrons of dynamite war will have the progress of the tunnel closely watched; will ascertain the points at which the ceiling of the tunnel is thinnest; that is, the points of least resistance.

As soon as the tunnel is finished and in use, *Barbarossa*, the general of the dynamite army, will send some of his most trusty followers to France. There they will send off to England, by the tunnel, two or three trunks full of dynamite, with an exploding clock in each, well-timed to explode the dynamite at or near a point where the superincumbent mass of earth and water is lightest; so that, the roof of the tunnel being blown off, the sea-water may rush in, and fill it from Calais to Dover.

Should there be a few car-loads of English in the tunnel, just then, so much the better. This will be, perhaps, the first of many great dynamite victories, while the victors keep themselves safe under the protection of the United States; for this army never goes out to battle, but fights only with its forlorn hope. Should there chance to be, also, a few car-loads of French in the tunnel, at the time of the explosion, it is but the chance of war.

When it was first said that the *Thugs* of India were a religious sect, the world was loath to believe in this amalgamation of devotion and murder. It can no longer be doubted. The patriots of this day have embraced *Thuggee*, the most sacred rite of which is *secret assassination*.

When one of them is convicted of celebrating this sacrament, he at once becomes a martyr and a saint to his comrades.

L.

I WILL here give to those visionary philosophers, who would reform the world by making radical revolutions in all governments, the real obstacle to the success of their theories.

When we have ascertained, by sad experience, man's true nature and character, the crooked and deceptive arts by which they seek their ends; we must perceive that their essentially corrupt and unreliable nature renders it impossible that the officials of any government can be honest enough to be safely trusted with such extraordinary power and patronage, as is needed to enable the State to do for the community, anything that people can do for themselves. This is especially true in governments based on universal manhood suffrage, in which demagogues take the place of statesmen. It is not that there is no truth or honesty among men. But these are very unobtrusive qualities, thrust aside by their obtrusive imitations. The true and pure "Una" of the poet is overlooked and neglected, while the false and artful Duessa usurps her place.

For a certain amount of shallowness, a large amount of plausibility, and an absence of scruples, are needed to make an eminently successful leader of popular opinion. These are the qualities to help men into office, in democracies. And while the people think that these men are zealously serving their aims, they are simply seeking their own ends, and providing for themselves. That this is the

result of government by universal suffrage, a few notorious examples will serve to prove.

Louis Napoleon Bonaparte, in his early youth, was something more than a democrat; indeed, utterly radical and revolutionary in his political demonstrations. In the south of Italy he mixed himself up with the most socialistic secret societies, which aimed at overturning every established institution of civil life. Later in life, after some years of dissolute and bohemian living in England, his ambition was awakened to the extravagant design of restoring the Empire in France.

Napoleon the First affords the most striking example, since Mohammed, of man-worship by his fellow men. His name was still a word of magic power to rouse and bewilder the French nation. His reputed nephew—some lovers of scandal assert that he had not one drop of Corsican blood in his veins; if ambition and duplicity can prove kindred, he was doubtless the true nephew of "*Mon Oncle*"; however, he used this magic name with great confidence and skill, winning many secret adherents among the discontented, especially in the army. The former greatness of France under the Empire tempted many to listen to his overtures; and having prepared the way by conspiracies, he made two expeditions to France to bring about a revolution, by a revolt of the army. In the last he fell into the hands of the Government. The cautious king, *Louis Phillippe*, merely locked him up in the old fortress of *Ham*. He had the luck, or the art, to escape from prison, and from France, and back to England, whose free constitutional government he loved so dearly.

The heart of the French nation was not just then sailing on the imperial tack, but the other way; and sud-

denly a violent democratic revolution overthrew the royal government, and every Frenchman became a republican. Louis Napoleon hurried back to France, and was at once the most enthusiastic democrat on her soil. Availing himself skillfully of that word of magic power, he became a candidate for the post of President of the Republic, was elected, and for two years *Liberté, Egalité et Fraternité*, was his avowed creed.

No one knows all the intrigues he carried on in these two years, for he was skillful in covering his tracks while sounding the army, especially the officers of rank, and others who had bright visions of France, glorious under the Empire. When his preparations were complete, and he had collected a large body of corrupted troops around Paris, he made his *Coup d'etat*, and arrested at midnight such Field Marshals and Generals as he had discovered were true to the Republic. When, the next day, the people assembled in crowds to learn why the most eminent soldiers and patriots had been cast into prison, Louis Napoleon forgot his *Fraternité* and made his troops fire upon his republican brothers. Putting down the people, he proclaimed himself Napoleon the Third, Emperor of the French.

When he had reorganized the civil service and tutored the officials from *La Manche* to the Pyrenees, he ordered a *plebescite*, a vote by universal manhood suffrage, to be taken as to his assumption of the imperial crown. The self-appointed Emperor had great skill in wielding this formidable weapon, the *plebescite*. Under the vigilant eyes and skillful guidance of his tutored officials, out of eight millions of adult Frenchmen, but half a million dared to condemn his treasonable overthrow of the Republic, and usurpation of the crown by military violence.

Seven and a half millions indorsed his assassination, in a dark midnight hour, of their beloved Republic, and his usurpation of imperial power. This proves the wonderful genius of the French for instantly organizing themselves for good or evil.

What seems more strange to me, their neighbors, the moral, liberty-loving English, from the Queen to the plowman, after this manifestation of his true character, received him with marked favor and approbation. Indeed, according to the theory that government should be based on universal manhood suffrage, Napoleon had become, by the *plebiscite* which he manipulated after his *Coup d'etat*, the most legitimate ruler that ever came into power. We have Abraham Lincoln's assurance, that any people have a right to change their government at any time. This shows the worth of universal suffrage in France. Thanks, however, to the newly organized German Empire, the French are once again republicans, and half of them at least red republicans.

The people of the United States are as much devoted to universal manhood suffrage as the French, perhaps more so. Nor do they object to an occasinal *coup d'etat.* A few years ago, an eminent and able man of excellent character was elected President, at least he received the greatest part of the votes. But the leaders of the people then in office, representing a party which had been sixteen years in power, thus giving them time to make their fortunes by peculations on the public purse, dreaded the access to office of a man who had lately proved himself a detector of corruption, and a reformer of abuses.

They raised an immense amount of money from official and private sources, for they had filled their pockets while so long in power. This money they employed in

procuring a false return from the managers of the result of the election. They artfully falsified the *plebiscite*. Anything was better than have their doings examined into, while they had been serving the people and providing for themselves.

It is needless to go into details, now pretty well known, as to how they managed their game. For according to the politician's code of morals, politics is a game which skillful players make profitable.

The truly elected President was adroitly shut out of office, and his defeated opponent put in his place. At the end of four years another election for President was at hand. The party having been now twenty years in office and power, had learned much, and made much profit in that time. It would not do to play exactly the same game over again. They now managed matters more skillfully. They used plenty of money in buying up the *plebiscite*, and I believe succeeded; but they first made sure that their candidate, besides ability, should have a due amount of corruptibility for their purposes.

But unluckily for them their well-chosen tool was assassinated, cut off by a crazy political fanatic, before they had made full use of him. To keep up the farce and cover the uses they had made of him, the party tried to make a saint of him in the face of some damning facts of corruption, not of late occurrance, which stood in the way of his canonization. But some untimely and unexpected revelations came out later, fully exposing his corrupt, designing, and unscrupulous character.

These, and a multitude of similar historical facts, show that universal suffrage is far less calculated to give office to trustworthy patriots and statesmen, than to artful and unscrupulous demagogues, who have the knack of im-

posing themselves on the populace, to gain their own corrupt ends.

In the United States, under the influence of universal suffrage, as the source of all political power, the character and morals of politicians have grown steadily worse and worse, from 1789 to this day. If any government could possibly succeed in confiscating the land, or the net profits earned from it, that is the rent, nominally for the benefit of every man in the community (see *Progress and Poverty*), it must of course be a thoroughly radical democratic State, with all, in theory, in the hands of the multitude; but in fact in that of the demagogues who profess to act for the people, but are really serving only themselves and their partisans, for whom they create offices. Little good would the multitude get out of this wholesale confiscation of landed property. To satisfy these millions of greedy claimants, all the acquisitions and accumulations, resulting from the industry, skill, and economy of private persons, would have to be divided among them. What a splendid result would this be, from the progress of civilization and political wisdom!

Political corruption is bad enough. But perhaps it is not the worst symptom spreading over the United States. There is one growing rapidly, which comes home to men's bosoms and their families. In most of the States of the Union there has been in this generation a great relaxation of the binding nature of the marriage contract. And it has been followed by an even disproportioned multiplication of divorces.

The most frivolous causes seem to suffice for dissolving a marriage. While, in fact, wherever it is most difficult to obtain a divorce, there the fewer married people seek or desire one.

This facility of divorce, and the frequency of them, besides demoralizing the whole people; is particularly destructive to the training, morals, character, and happiness of the offspring of the divorced couples. Society and social life are founded on the family, and this foundation seems to be rotting away. Nothing can replace it.

LI.

Do NATIONS deteriorate? Perhaps they do. Nations may become corrupted and degraded. But, judging by the light of history, the chief cause producing a radical, permanent, incurable deterioration of national character has been the intermixture with inferior races. The Greeks, in their later history, certainly declined in national character, after the conquests of Alexander and his successors had mingled them with other races of western Asia and eastern Africa.

The original characteristics of the Romans seem to have been very much altered after their wide conquests. These conquests introduced a crowd of people of various races into Italy, both as freemen and slaves. That and subsequent immigrations greatly altered the character of the people of Italy.

The Saracens, in their wide conquests, intermixed themselves with inferior races more effectually than the Greeks and the Romans. The practice of polygamy and their eagerness to make converts to their faith promoted this intermixture. There can be little doubt that the race of the Arabs is much deteriorated, by polygamy especially, even in Arabia. The same remark applies to the Turks, but they mingled themselves chiefly with bet-

ter races. Both Turks and Saracens showed great disregard to race. As Lord Bacon remarks of the Turks, they had no value for *stirps* in marriage.

Where purity of race is not valued it is vain to look for the permanent maintenance of native character and traits. The introduction of inferior races into a country will affect its institutions and its social condition.

The presence of several millions of manumitted negroes in the Southern States of the Union greatly affects their political, industrial, and social condition. Something like this would be the effect, in time, should there be a great influx from over-peopled China into the United States by the convenient ports on the Pacific coast. In the case of the negro and the Chinese, their presence seems to tend little to bring about a mixture of blood. But, industrially and politically, their presence is an evil to the country.

What would be the effect of the introduction of several millions of Chinese into England? They are industrious laborers, very saving, even on low wages. Their presence there would be disastrous to the laboring classes. They would under-live them, and lower their condition. The great influx even of Irish into England has had that tendency there. For they are content to live on cheaper food, and with fewer household comforts, than the English laborer.

It is a great evil to nations of the better races to be pitted in the struggle for the means of living, against races which, from their low estimate of what is needed for decent and comfortable living, can supplant a higher race by under-working and under-living them. The negroes are the least evil; for they would almost rather starve than work, at least persistently. But the Chinese

are very industrious and economical, and can starve out any white race of laborers.

I have said that States have no right to prohibit emmigration. That is an infringement on natural liberty. But a nation of one race has a perfect right to prohibit the immigration of inferior races. For such an influx does them a most serious and permanent injury. One of the first duties of a people is to preserve the purity of their race. *Races make institutions.* You cannot transfer the institutions of one race to another, they will not work well there; not even from the Teuton to the Celt, much as they may seem to resemble each other. A disregard to race and descent is a gross error.

Is there such a thing as patriotism? Judging from men's words rather than their conduct, there doubtless is. Yet different men have very different ideas of patriotism, and would define it very discordantly. With many it is but a name for local attachment. Many an Englishman limits his, at heart, to his village, his town, or a particular street in his city. Many a rustic Scotchman, to his moor. Many an Irishman to his potato patch, and the bog which yields his turf. Many a Bedouin Arab to his desert, including the little oasis where he pitches his tent, while a few date palms are ripening their fruit over his head. Each of these men locates his patriotism at that spot where his interests and habits have found a home.

Some men of rather more enlarged ideas will tell you that their patriotism cleaves to the institutions of their country. But in this revolutionary age the institutions of many countries are undergoing such rapid changes, that the patriotism of but ten years ago must find a new object to cleave to to-day.

Some men may say that their patriotism binds them to their race—deriving patriotism, not from *patria*, but going further back, to *pater;* their patriotism cleaving exclusively to the race from which they sprung; whether it be a nomadic tribe wandering incessantly in the wilds of Tartary, or Arabia, or the Sahara, or, like the modern Jews, scattered over the face of the earth.

Although no lover of the modern Jews, or of their characteristics—being more prone to borrow than to lend, and having paid far more for the use of money than I ever received—I can better understand this form of patriotism than that of mere locality. Doubtless a man's true native country is his race. Nature seems to have implanted something very like an antipathy between widely different races. And a thorough intermixture of the blood of two or more races of widely different characters utterly destroys the possibility of feeling true patriotism. Even local admixture goes far to produce that effect. As to local patriotism, its chief value is the means it affords of keeping up the better patriotism of race.

With reference to this combination of the two forms of patriotism, the Celtic Irish are the most patriotic of people. Migration to another country, and even sworn allegiance to its government, does not make the Irishman less Irish than he was before he left Ireland. The dream of his waking as of his sleeping hours is still how to expel, or to extirpate from his country, the Norman and Saxon intruders of seven centuries' standing, and restore the green gem of the ocean to its earlier settlers. And yet, strange to say, in all their aspirations to that end, they have been often guided and led by scions cut from the stock of those foreign intruders whom they still call

Saxons—thus betraying who were the natural rulers of the country.

For my part, I value the patriotism of race far above those of locality, or of ephemeral institutions. In my opinion an English lady, or Scotch, or German, or French, or Irish, makes a grosser and more hopeless *mésalliance* in wedding a Turkish Pasha, a Chinese Mandarin, a Hindoo Rajah, or a Mohawk chief, than if she married an honest plowman of her own race and country. For although the human offspring is thought to take after the mother rather than the father, in making that *mésalliance, she has spoiled the breed.*

LII.

I NEVER could see on what solid ground was based the claim, that the mere fact that a man is in a country, with nothing but those personal endowments he received from Nature, gave him a right to exercise a voice in the making of its laws, in controlling the nation there, and imposing taxes on the property of individuals.

A primitive tribe, weak in numbers, surrounded by dangers, in constant danger of extirpation by more powerful neighbors, and needing the aid of the armed hand of every man among them to preserve, if possible, their existence, might in their emergency have adopted such a polity. But we know that they seldom or never did, and certainly never retained it long. Almost every country has preferred to be governed, even when it became a republic, by those who have something at stake in the community beyond their mere personal presence there. Their interest otherwise is not obvious and definite

enough to entitle them to any influence in controlling the affairs of other people. It may even become their interest to mismanage them.

A voter, therefore, should have a stake in the community, to make him feel the ill effects of gross mismanagement of the public and private interests of the nation. There is no qualification for the franchise so easily and certainly ascertained, as that which compels men to share the burden of supporting the government, that is, one which necessarily renders him liable to taxation, a property qualification. Then, if those in office mismanage the affairs of the public, this voter with a property qualification who put them into office, feels the effect of their incapacity or dishonesty, as he ought to do. Nothing is more disgusting in politics than to discover, not only the corrupt, but often the utterly frivolous motives which control men's votes, where they have no honest interest at stake.

He who represents the qualified voters needs no other qualification than the confidence of those he represents. They choose and send him as their agent or attorney to attend to their public interests. The important point to the country at large is, that they who send him should have such a stake in the country, that they can and ought to have a share in controlling its counsels.

In the English House of Commons (all the parliamentary bodies of this day are imitations of the English parliament) in early times, each borough paid the expenses of the member it sent there. He was the agent or attorney attending to their business and interests. Gradually, men ambitious of being in public life, gave up asking for their pay as members of the House of Commons. They found out that the post yielded not only

honor, but might be made to yield profit also. It was good policy not to ask to have their expenses paid them.

Andrew Marvell, member for Hull, Yorkshire, during most of the reign of Charles II, a man of more scrupulous integrity than often falls to the lot of members of parliamentary bodies, is said to have been the last M.P. whose expenses were regularly paid by his constituents.

Since then parliamentary bodies have sprung up in many countries, and a corrupt practice has sprung up with them. The representatives of particular constituencies are paid, not by those they represent, but by the State, as if they were executive or administrative officers of the government, which they are not. This change has been exceeding convenient to needy demagogues who would thrust themselves into public life, in order to obtain more profitable offices, under the guise of patriotism. It has greatly smoothed the path of many a needy patriot. But for this change in the mode of paying representatives, the Congress of the United States could not have distinguished themselves, as they did a few years ago, in making their famous, or notorious, *Salary Grab.*

A government based on this modern invention, universal manhood suffrage, as the source of all political power, represented by their paid agents; can be best likened to a great national bank to which every one in the community is required to subscribe, not only all he has, both of material and intellectual acquisitions, but all he may yet acquire. The managers are to be appointed, not by proxies, each proportioned to the number of shares each subscriber holds. No, there are no proxies. All the manhood suffrage voters must attend at the election

and choose the managers. When the day is at hand for declaring a dividend; these managers after appropriating the amount needed to meet the expenses of this institution, expenses made up of salaries, sundries, almost numberless, and a monstrous unexplained contingent fund; they then allot to each voter an equal share of the dividend. Those who have contributed large amounts to the capital of the bank, now see that they have been robbed, both by the managers and the vast majority of the voters who have contributed little, most of them nothing, to the bank capital, consisting of all the earnings and accumulations of a nation. Under any other government, they would appeal for justice to the courts of law and equity. But in this case the multitude of robbers and plunderers are at once the jury, the court, the law! There is no appeal! There is no justice before or behind them!

This is the true working of manhood suffrage when thoroughly in operation.

LIII.

We have said and labored to prove, that the ends for which government exists are two, and two only. 1st. The administration of justice within the community. 2d. The defense of the community and of the individuals composing it against external enemies. In a primitive state of society, while men are united into small tribes only, and are in constant danger of attacks from without, defense against foes from without is the dominent need for government. But when States come to unite civilized multitudes, in occupation of a

territory with extensive and well-defined borders, dangers from abroad become remote and occasional; and the administration of justice, the protection of private rights from dangers from within, become the chief use and end of government. In extensive and civilized countries multitudes go from their cradles to their graves without ever seeing the face of a foreign enemy, yet every day of their lives have looked in the face of internal enemies, quite ready to rob them of their rights, if the obstacles were removed which government puts in their way. The more the country thrives, the denser the population becomes, the more these enemies multiply.

Society is full of selfish, grasping, rapacious animals in the guise of men. Envy of the successful and prosperous exercises a powerful and malignant influence over the unprosperous and unsuccessful; and even what is called the spirit of liberty is largely mingled with a licentious desire to be rid of all control, and even to exercise tyranny over others. If success is apt to engender a pride which leads the prosperous to overlook, and look down upon those below them; it is more than counterbalanced by the envy and animosity it excites in the hearts of many of those on whom fortune has frowned instead of smiling.

The chief use of government, in all large and civilized States especially, has now become the protecting and securing the private rights of individuals, from the attacks made on them from within their own country: for the acquisition of these rights and the accumulation of their results in the hands of the owners, are what has built up the prosperity and civilization of the country.

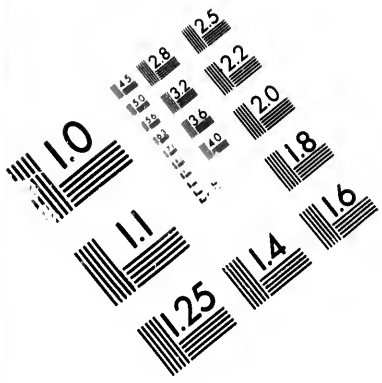
In the present state of the civilized world, the power to

tax is the power to govern. The power to distribute the proceeds of taxation is something more than the power to govern. It is the power to corrupt! And may be used for that end, and with fatal effect. A strong effort is being made by a class of persons, who seem not to be few in number, or without influence, to pervert governments themselves, into the agencies to produce this ruinous effect.

But what men need in government, is a stable, permanent, and reliable, protector to their natural and acquired rights; especially the last, which are the most exposed to danger. Such a protector is utterly incompatible with the teachings of the so-called poet Walt Whitman; whose doctrine is, that the great right and duty of mankind is the devising, and practice of revolution.

If we wished to pervert the institution called government into the very best means of defeating the ends for which it came into existence, without betraying our design, how would we proceed? We would make universal manhood suffrage the exclusive source of all political power, and adopt as the end aimed at: "The greatest good of the greatest number." We need do no more. At once, as this institution cannot exercise its own functions, thousands of aspiring spirits, greedy for place and power, start up all over the country, and exercise themselves, in, what has been well named, that fraudulent art, *oratory*, persuading the multitude that they, these orators, are the men, who will most zealously seek the greatest good of the greatest number; and that the rival haranguers, are not the right men for the people's purpose.

Man has been called a reasoning animal, because he sometimes does reason. But, a multitude never reasons. Its passions, its prejudices, its animosities, and its hopes, are easily roused. The most artful haranguer wins their



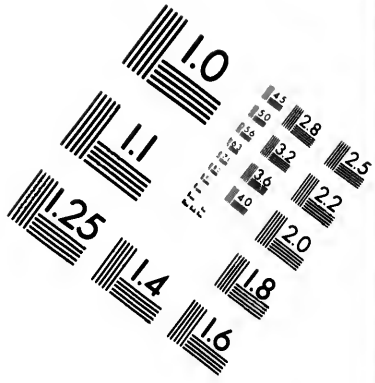
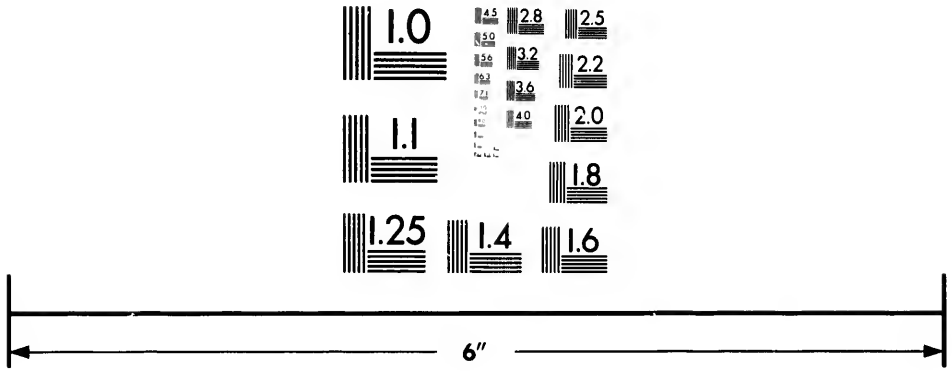
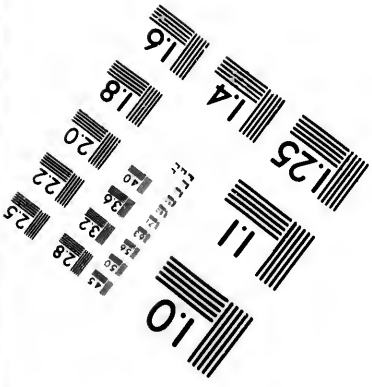
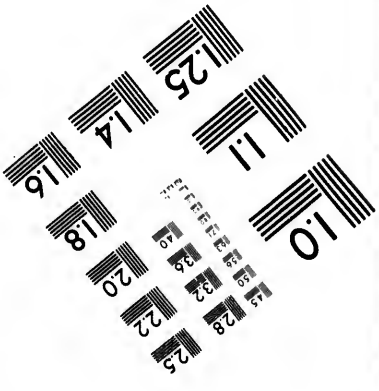


IMAGE EVALUATION TEST TARGET (MT-3)







Photographic Sciences Corporation

23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503

favor; and places of trust and power, are filled, not by statesmen, but demagogues. For the talents that best serve to win office, are very different from those which can fill it, and fulfill its duties best. Many of these successful aspirants for popular favor, are doubtless men of abilities, to serve their own purposes. But they must redeem their pledge: "Do the greatest good to the greatest number." The country is rich, with great resources, unfortunately in the hands of a comparatively few. They do not stop to inquire how that came to pass. These resources of the country, common to all, must benefit all. They must clothe, feed, house, educate the nation. These demagogue statesmen must invent modes of distributing the bounties of Nature, not forgetting to provide for themselves, and their personal partisans. If they have few of the latter, they must win more by aid of government patronage. Unluckily they find it difficult to get beyond that point. Partisans are so numerous and so greedy, that the resources of the country already begin to fail under their exactions. More must be exacted from the producing classes, for the benefit of those who do not, will not, or cannot produce. The country is on the verge of a crisis, and shows unexpected symptoms of a decay of prosperity and resources. They cannot see the true reason. It is suffering from misgovernment, on utterly false principles. You only need to continue this policy, to ruin the prosperity of the country, degrade its civilization, and sap the very idea of property and honesty.

The great bulk of the resources of every civilized country, at least, are the result of the industry, skill, and economy of individuals, and of right must remain in their hands. Moreover, the very possession of these resources,

ought to give them so much influence and control over the government, as to enable them to prevent its entering on any policy, leading to their ruin, which involves that of the community. The principle of representation, in a representative State, must embrace that much at least, as to acquired and vested rights.

Let us take the United States as an example of a Government founded on certain theories as to political organization. It would require the profoundest ignorance, or the height of hypocrisy in any man, to enable him to assert that the Government that now exists there is the same that was founded by the thirteen States, in 1789, when they made that treaty with each other, which is known as "the Constitution of the United States." Since then, democracy has utterly changed its nature, and perverted most of the principles of confederation and republicanism involved in it. Now, practically, it is impossible to say what are the powers of the Federal Government, or what are the limits to its powers. Let any impartial man, sit down, and read the Constitution as it was adopted in 1789, and compare that treaty between the thirteen States, with the centralized Government that now exists in its place. It would be too much to ask of him, to trace the numberless steps by which this revolution has been achieved. It has become a paternal Government, aiming to do for the people all that they should do for themselves.

The United States Government originated in, and was based on, confederation, not on universal suffrage. The latter was an afterthought, springing up rapidly, overgrowing, smothering, and is now blotting out the confederation.

LIV.

As to the usurpation of duties by the State, I will give an illustration. One modern and very conspicuous charity, originating solely from, and still supported by private benevolence, escaped by its peculiar nature, the usurping patronage of the State. I refer to the life-boats, and life-saving service which watches over the crews of vessels in distress on the British coast. Perhaps the fact that it affords no patronage to those in office sheltered it from their propensity to meddle with every charity. It has escaped that dangerous incubus of State patronage and control; and survives in its natural condition of a spontaneous combination of the benevolence of individuals, to exhibit the provident arrangements of Nature for such ends, and the needless and mischievous effects of State intermeddling beyond the sphere of its duties.

Private benevolence suggested this charity. Private beneficence still pays the cost of it; and heroic private beneficence carries it into effective operation. For, although the crews of life-boats are, to some extent, paid for their services, being laboring men, fishermen, pilots, and others, earning a living by some other boating service; they are paid only for their occasional exertions in the life-boats, while practising as a crew, or actually assisting a vessel in distress. But a great many of these men have lost their lives in this hazardous employment. It is so little tempting or profitable, that perhaps not one of them ever embarked in it with a view to profit. We must attribute to them no small amount of zeal to save life, even at the hazard of their own.

This life-saving service is a conspicuous illustration of what private benevolence in voluntary combination, can

do in various directions for the relief of human needs and wants, for the mitigation of destitution and suffering, for the instruction of the ignorant, and for most other ills in society, without any usurping, intermeddling, and control over private charities, on the part of the State.

The State will best serve the purposes of humanity, not by founding its own institutions for the relief of chronic or even casual evils, and providing for their support by taxation, thus making people charitable by act of parliament; but by simply facilitating the combination of private charity, by incorporating these associations, and legalizing their action when applied to for that purpose. I am convinced that even the care and management of the most difficult evil in society, the case of the insane, could be so provided for.

It must be remembered that the attempt, on the part of the State, to do certain kinds of good, prevents much of the good of those kinds, which would have been done by private charity. It largely uses up, by taxation and misappropriation, the means that would have been at the command of private benevolence, and discourages the exercise of it. Government exists only for the prevention of actual evil, not to originate direct and positive good. Its duties are negative. It is a costly and burdensome institution at the best; and becomes more burdensome with every new duty it assumes, and with every additional power it usurps, beyond its primitive duties of administering justice, and defending the community, which two duties the State alone can perform.

History affords many striking examples, by the successful performance of these two duties, by the State, under very adverse circumstances, indicating that they are the sole duties Nature intended the State to fulfill for the community under its protection.

As to national defense. Governments, when once well established, have seldom failed, in time of war, to call out the strength and resources of the nation; and to find courageous, patriotic, and faithful leaders of their forces raised to defend the country.

Not to multiply examples: A few small and divided States, in Greece, often at war with each other, for once uniting their arms, succeeded in resisting and defeating the seemingly overwhelming and irresistible forces of the Persian Empire. And, in far later times, the barren, sparsely peopled kingdom of Scotland, habitually much divided, and at war within itself; repeatedly foiled the efforts at conquest, made by her far richer, more populous, united, and powerful neighbor, close on her border. We may observe here that States are seldom jealous of their prerogative, their exclusive right to defend the country. When hard pressed, they gladly receive the aid of those of the community, or from elsewhere, who not being embodied in the regular levies, *voluntarily take arms as partisan corps*, to resist and harass the enemy; and also the aid of privateers, under *letters of marque*, seeking to cripple their commercial resources.

As to the matter of the administration of justice. We find, to our surprise, that even under so corrupt, effete, and declining a government as that of the Roman Empire; long after the palmy days of Roman vigor and greatness had passed away, the science of jurisprudence was more assiduously cultivated than it ever had been in the history of man.

Steadily, for centuries, under a corrupt and despotic government, experiencing frequent and sudden changes of its rulers, by military sedition and violence, there grew up a code of laws, which, while it did not protect the

people against the State; or secure their liberties against political or military tyranny; yet all those who have mastered its provisions, unite in declaring that, in the protection it affords to private rights against the aggressions of private persons, it far surpasses any human code; approaching near to a perfect system of ethics. And we have reason to believe that, even in those troubled and corrupt ages, it was usually fairly administered in the courts of the Empire. This "Roman Civil Law," the code of Justinian, is to this day the basis of the civil law of the whole of Western Europe, except England.

To give another example of the natural tendency of a government to fulfill the great duty of administering justice between the people under its rule. Under the corrupt and tyrannical government of France, under the Old *Regime*, the redeeming page of its history, the brightest star that shone on the progress of the nation, was seen in the administration of justice in civil suits—in the learning and purity of the *noblesse de la robe*. For the provincial parlements, by a gradual evolution, had become the high courts of justice. They retained their independence and patriotism as courts of law, in astonishing purity, in spite of the national corruption around them. No country excelled France in the learning, wisdom, and integrity of its judges. The basis of the French code was this same *Code of Justinian*.

Yet strange to say, most of these men entered on their professional career, by the purchase of an office, or seat in the courts. The *noblesse de la robe* seem to have been a very peculiar body—consisting of families which had for generations devoted themselves to the law—each one giving no small part of his patrimony to the cost of an elaborate education, and perhaps most of the remainder

to the purchase of the post of a counsellor of parlement—which enabled him to practise the profession. Professional and family pride seem usually to have mounted guard over their integrity.

To my mind, the success of the combined benevolence of individuals in the life-saving service; and the unexpected success of feeble nations in national defense, and of corrupt States in the administration of justice—are broad hints, given by provident Nature, to States, to devote themselves exclusively to these two last duties, and to let charities and other matters alone—as out of their sphere.

LV.

When we listen to the theories of a host of political philosophers of this enlightened age; and hear from them what social and political reforms, or rather revolutions, are strongly urged upon us, as essential to the welfare, progress, nay, the preservation of society; we are tempted to think the world is just waking up out of primitive barbarism.

But on looking back on past ages—for we have the means of so doing—on a careful survey of the past, and comparing it with the present; the first thing that strikes us is, that man was then pretty much what he is now, but with vast changes in his habits and opinions, in some countries. The next thing is, that men, strongly influenced by the first government they knew, the patriarchal rule, made the most strenuous efforts to extend its application. Even after they had tried such other forms of government as accidental circumstances suggested; they soon found that the greatest and most frequent source of commotion, tumult, violence, and crime, dis-

tracting and breaking up the community—was the fierce and unscrupulous struggles generated by individual ambition.

How was this evil to be guarded against? Nature provided for it.

At some critical period in the life of a tribe, a combination of tribes, or of a nation, some man of eminent ability and energy had rescued it from great dangers, perhaps conquest or extermination by foreign enemies. He united the community into a more compact body, perhaps drew into union with it some neighboring and cognate tribes; and averting a succession of dire public evils, may have ruled the nation long and prosperously.

In the decline of his years, he may have intrusted to his son many of the more active duties of the public service. This son, if an able man, would acquire great personal influence, and attach many of the chief and most able of the nation to himself.

Meanwhile a new generation has grown up, and the nation, almost without knowing it, is returning to the patriarchal idea of government. On the death of the father, the son may naturally succeed him. For there might well be nobody in the commu ity, who saw the least chance of successfully disputing with him the first place in the nation. The remnant of patriarchal rule and influence would still linger in many localities, and prepare the people, quite familiar with it, to return to, and adopt it on the largest scale.

It is a gross misconception to suppose that hereditary rule originated in usurpation and tyranny. It must have begun in the confiding attachment of followers to a chief. Justice and fair dealing to those under his rule, are *instinctively* his natural policy; and are equally the natural

policy of his successors. In their *political* conduct none of them seek to make enemies among their subjects. Personally, they have no motive for oppressing one class for the benefit of another.

Communities and nations very early discovered, rather by instinct than reason, this simple means of shutting out a large part of those fierce contentions which tore society to pieces. They gave the place of chief, or rather, they promptly received as their chief, the son of their dead chief. This gradually hardened into the rule of succession by hereditary descent, as the best safeguard against a disputed succession and its possible consequences. This remedy against civil tumult and war, and the possible division of the nation, must have a foundation in man's instinctive search after peace and civil order. For it has been adopted in every age, in every country, in every phase of society, among every race of men who even approximated to civilization.

Numerous as have been the civil wars and internal commotions, harassing and devastating nations, the narratives of which cover a monstrous proportion of the pages of history; they would have been vastly multiplied, and their evils greatly swollen but for this one rule—the hereditary succession of the son to the father. Taking into view the whole history of nations, this rule of hereditary succession has secured to them more unity, peace, and prosperity; has curbed more criminal ambition, and proved a stronger safeguard against intestine commotion—than any other conceivable measure could have done.

No doubt many a republic, and occasionally, even an oligarchy, has been driven to adopt monarchy for the sake of peace and safety; and once adopted, monarchy

naturally becomes hereditary. It is a great security to the peace and prosperity of the country when, the announcement, "*Le Roi—est mort*," is at once followed by the proclamation "*Vive le Roi!*" shutting out commotion, and forestalling the ambition that might lead to bloody wars.

Some nations have not limited succession to the male line; but, in default of a son to succeed the dead sovereign, have given their allegiance to the daughter. Nor do any particular evils seem to have sprung from this enlargement of the rule of hereditary succession. Female succession has at times been attended by peculiar success, and been received with extraordinary enthusiasm. As when Maria Theresa, Empress of Austria, being hard pressed by her great enemy, Frederick, of Prussia, assembled the Hungarian nobles, and personally applied to them for aid. They rose as one man, drew their swords and exclaimed as with one voice: "We will die for our *King*, Maria Theresa!"

In primitive times, the duties of the king might be simply defined. Thus, the discontented people of Israel demanded a king of the prophet Samuel, "That our King may judge us, and go out before us, and fight our battles." They looked only for the performance of the two great duties of the State.

No hereditary monarchy ever existed long without there growing up around it limitations to the exercise of sovereign power. Very soon there were many things that the king could not do. Even under the autocratic empire of Persia, it became the established rule that the royal decree should be preceded by a consultation of the great officers and notables of the Empire; and to secure caution in legislation the maximum was adopted, that the

decree was unchangeable, "According to the law of the Medes and the Persians, which altereth not."

The limitation to the abuse of sovereign power is, in almost every nation, exercised first by a class scattered over the country, wielding great local influence. They may be the heads of old tribes which still feel the influence of ancestral ties, or more often, the heads of great families which some generations of able and successful ancestors have raised to local importance. Many of them are highly educated, not a few are able men accustomed to deal with affairs of importance, and to exercise great influence. These men have their ambition, but it is not of a revolutionary kind. No class is more interested in the prosperity and good government of the State, or more anxious to promote it than they are. Governments are essentially conservative institutions, created to preserve, not to revolutionize and destroy; and this influential class are eminently conservative.

The sovereign sees that it is far easier and safer to rule with the support of this class, than in opposition to it. The abler of them are taken into the royal counsels, some of them fill important offices, and contribute greatly to the easy and smooth working of the departments of government.

Perhaps there never was a truly autocratic sovereignty, except those created by great conquerors, such as Genghis Khan, Timour the Great, Napoleon Bonaparte, and some few others known in the world's history; and this autocracy of the ruler seldom, or never, lasted beyond the life of the founder. Limitations on power soon spring up.

If it be asked what does a hereditary nobility represent? we would say that it represents for the whole nation the principle of inheritance, without which the

country could never have risen to prosperity or civilization. It is the conservative representation of acquired and vested rights, the overthrow of which leads to national ruin.

After a long line of hereditary succession, the personal character and capacity of the sovereign becomes of far less importance than it would have been at an earlier era. It may at times be an advantage that the sovereign has no remarkable vigor of character. However able and estimable the sovereign may be, his greatest value to the nation is now his undisputed filling of that first place at its head; which, were it vacant, would awaken the dangerous ambition of many aspiring men, in the country, and lead to a fierce and demoralizing struggle to gain the vacant post by the most unscrupulous means.

The mass of men are, always have been, ever will be, incapable of embracing, with head and heart, an abstract code of principles in politics; and of giving an honest, understanding, and undivided allegiance to them. But all men can give a true allegiance to an individual, representing a family whose career is inseparably connected with critical eras in their country's history, and with vital principals of national policy and rights. Poland might have escaped partition, and national extinction, had it adhered, like its neighbors, to hereditary succession to the crown. And Portugal would now have been but a province of Spain, if it had not clung to the house of Braganza, as the true line of succession to the throne.

LVI.

A FAVORITE topic with the radical reformers of this day is the monopoly of land in few hands.

It is a gross error to think that large landed estates indicate a wasteful employment of a nation's resources. On the contrary, nothing has tended more to increase the productiveness of many countries than large landed estates.

Almost all the improvements in that all-important art, agriculture, have sprung from the fact that there were large estates in land. For the owner of many thousand acres can seldom take much of it under cultivation in his own hands. He generally finds it best to divide the land into convenient-sized farms, and lease them to tenants.

The ultimate effect has been that there grew up a class of farmers, not mere peasants, clowns who do not look beyond the necessity of following the plow mechanically for a living, as their fathers did; but men, by choice, devoted to rural life, and agricultural and pastoral pursuits. Few of them have wealth enough to buy a farm of their own. For in an old country that requires something like a fortune. But they have money enough to stock a farm, large or small, and they take one on lease from the proprietor.

There arises, in time, in the country a most important class of what may be called professional and scientific agriculturists and stock-breeders, devoted to their chosen occupations; and specially trained to them. As all men have not the needful aptitudes, although they may have the tastes, for these pursuits; the unsuccessful have to seek other occupations as a means of living.

Many of these farmers become scientific men in their especial line. To this class of educated, scientific farmers we owe nearly all the great improvements in agriculture and stock-breeding; which have more than doubled, perhaps trebled, the productions of the necessaries of life from the same land within the last hundred years.

The vast improvement in implements and machinery, as applied to farming; the extended and skillful application of manures, guided by agricultural chemistry; judicious rotation of crops, improved breeds of stock, and all that is now known as high farming, is due to this educated class of farmers. All this development of the agricultural resources of the country, and its immensely increased production, required larger farms, in the hands of educated men; with a command of capital unknown to the small farmer of past generations.

Taking Great Britain, as an example. It is necessary to know something of the state of farming there one hundred years ago, and what was the production on the small farms of that time, in the hands of uneducated tenants, mere day laborers in their qualifications; and compare their product, especially the live-stock, with that of the larger farms and the farmers of the present time. A greatly larger amount of production, both vegetable and animal, from far less manual labor has been the result. This progress was only possible where there were many large estates; which, far from discouraging population, afford it direct and the greatest possible encouragement, by increasing the production of the necessaries of life.

LVII.

The whole history of society and of civilization, especially in this age, proves that there is in Nature, a violent tendency in material acquisitions, to run into few hands. That a few will grow very rich, while the many continue or become comparatively poor. We know that great wealth will carry with it great, and often, corrupting

influences. It is better for mankind that much of this great wealth should have passed by inheritence, into the hands of those who, by birth and training, are actuated by other motives and objects in life, than those which usually control the *parvenu* millionaire with whom money has been the sole object, and source of influence and power. This wealth has often been acquired by the most unscrupulous arts. That is necessarily a corrupt and degrading condition of society in which men are valued by one single test—the weight of their purses. This is, perhaps, characteristic of this age beyond all others.

Old riches and new riches are represented by very different classes of persons. In general, ancient wealth has brought with it to its possessors some culture and refinement, a measure of family pride, and a sense of obligation and of honor, which, if not virtues, at least generate a desire to emulate the character and reputation of their forefathers; of whom they almost always think more highly than they deserve. Most of this class are zealous to uphold the honor and institutions of their country.

But newly acquired riches have none of these tempering influences on the character of their possessor. And in this speculating, stock-jobbing age, the greatest wealth often falls into the most unscrupulous hands.

It has been said that it takes several generations to make a gentleman. This is not strictly true. I have known gentlemen who were born, as it were, between the handles of the plow; but they are rare. Some one has defined nobility to be ancient wealth. Certainly the possession, by a family, of wealth for many generations, indicates stamina in the race, and affords them advantages of many kinds to build on, which often exercise essential

influences on their characters. If well used, these advantages tend to raise the family to a position of reputation and influence which make true nobility, although its rank may not be marked by any titles. There have long been, in England, families of great Commoners of note, which have refused to accept titles of nobility.

Lord Bacon tells us that, "Those who are first raised to nobility, are commonly more virtuous (*energetic and enterprising*) but less innocent than their descendants; for there is rarely any rising but by a commixture of good and evil arts. But it is reason that the memory of their virtues remain to their posterity, and their faults die with themselves."

It is absurd to suppose that men derive nothing in capacity and spirit from the traits and merits of their forefathers. All social experience gives the lie to this. Personal qualities, both of body and mind, are often reproducing themselves in our descendants. The result from these natural tendencies has been that, in almost every old country, there have arisen many families, occupying for many generations eminent positions, exercising great social and political influence, and possessing large landed estates.

But the revolutionary agitation of this age, with its social and political theories, is particularly hostile to these great families, and especially to their large landed properties. The same class of minds, which feel no animosity against a charlatan who has made his millions by a quack nostrum—against the stock-jobber who has acquired yet more by his unscrupulous dealings in the money market, or the avowed gamester who has made an immense fortune by keeping a gamblers' *hell*, while using every art to lure the unwise to their ruin; or the noted

actress or opera singer, at whose feet a thoughtless and frivolous crowd have emptied their purses, until she has accumulated a princely fortune—all these may revel in their ill-gotten gains with the greatest ostentation, in honor and safety, while aping and caricaturing the old nobility of European kingdoms, in their exterior style of life. But these revolutionary reformers would take Blenheim and the manor of Woodstock from the descendants of Marlborough, and Apsley house and Strathefieldsay from the descendants of Wellington, the gifts of a grateful nation for good and great services rendered to their country. What more fitting monuments for great deeds and patriotic services could these great men desire, than such memorials in the hands of their lineal descendants, keeping their memories green in the hearts of a nation bound not to forget them?

The progress of society and civilization in modern Europe is chiefly due to institutions which these radical reformers are striving to abolish. And their success is likely to show that they have done far more harm than good, should they succeed. Oriental society, wanting some of these very institutions, have been without the elements of stability and progress. "The Turks," Lord Bacon remarks, "have no *stirps*, no regard for race." Everywhere the cultivated classes, consisting of families long settled in the country, in easy circumstances, furnish the best attainable standard of education, manners, morals, and refinement. They, too, are the people who have the permanent good of the country most at heart.

It is no more likely that all past history of political society is that of ignorance and error, than that the history of the future will be that of enlightenment and truth. In the progress of mankind new and unforeseen diffi-

culties arise; amid which we are as likely to stumble as we were of old. It may be that, in the past, the few have often domineered over the many. But these few have been generally the men most capable of dealing with public affairs. In the future the many, or rather the demagogues who lead the many, may tyrannize over the few, far more fatally obstructing the progress and welfare of mankind.

Government is not designed so much to represent persons, as rights. It only represents persons, inasmuch as all persons are presumed to have some rights. The especial purpose for which it came into existence, is the protection of rights; especially those which, not being of the kind possessed by every one, are peculiarly exposed to danger and trespass—most so where the Government is construed to be the protector of one, or some peculiar classes of rights; as of men's personal liberty. The modern discovery that the will of a bare majority constitutes truth, right, law, and justice; the religious faith in the *vox populi* as the *vox dei;* that one million and one men have a legal and natural right to rule, tax, and plunder one million in the same country, by an arithmetical demonstration of a majority of one, in mere numbers; although a vast preponderance of acquired and vested rights (for the protection of which the State came into existence) are in the hands of the smaller number—these rights being utterly unrepresented in the Government, although they make the possessors of them far the stronger and more important part of the nation; the *Pars major et melior;* the true, natural ruling majority, representing a vast preponderance of rights and capacities, both material and intellectual—this doctrine exposes civilization to the utmost hazard. For there are

many indications that civilization is a perishable commodity; difficult to procure, more difficult to preserve; and that its most inveterate enemy is *insecurity of acquired and vested rights.* As to civilization in its highest sense—cultivated thought, sentiment, emotion, and principles—we have no reason to believe that any *nation* ever was, or will be civilized; but only some individuals, or, possibly, some classes, which may greatly influence the *multitude.* That is the most we can hope for. But misgovernment may easily defeat that, while aiming, or pretending to promote it.

If it be true that the power to tax is the power to govern, and manhood suffrage is the right basis of government; then a bare majority of voters, possessing no rights whatever but those that are personal—utterly without any proprietary rights, and subject to no taxation—may, and, often do possess and exercise the whole power of taxing, *i. e.*, of governing.

If it be true that the great mass of voters in such a democracy, having no proprietary interests to be taxed, naturally fall under the lead and control of self-seeking demagogues; and that the power to disburse the proceeds of taxation, is the power to corrupt all those who may live by employment in the service of the State: it follows that those who impose taxes, so far from having any motive for practising economy, have strong inducements to extravagance in levying taxes, and in spending the proceeds. The more they raise the more they have to spend, feeling themselves none of the burden of taxation, but only the benefits of expenditure.

The result is that those in power, being placed in office by those who feel none of the burden, but only the benefits of taxation; in order to retain their hold on office, are driven to practise this policy:

They employ the revenues of the State in buying up unhesitating and unscrupulous partisans; they aim at swelling the numbers and strength of that great, paid army at their command; an army of well-drilled voters and electioneering agents—thousands of them quartered in the custom-house, more thousands in the post-office, and in other government departments. Compared with this army out of uniform, the fighting army, in uniform, is but a skeleton regiment.

The enemy to be resisted is not a foreigner outside of the country—but more dangerous far, the tax-paying part of the community, here at home, next door, but out of office.

The United States for example, may be said to have no army, or navy. But those in office there have a monstrous army out of uniform, at their beck, costing more money than the regular army of France or Germany.

Yet these demagogue statesmen in office rack their brains to devise means to recruit their army of voters and agents. They look around to see what departments of business and life, can be converted into duties and prerogatives of the State—in order to monopolize them, and fill them with their official creatures.

The political theorists, of this day, seeking office, or already enjoying State patronage, make many valuable suggestions on this point. The State may take charge of the railroads and telegraph lines—for the good of the people. That will give the State patronage and control of a new army of voters. The ownership by the State of coal, iron, gold, and other mines, and of petroleum wells—all for the good of the people. The monopoly of education will give the State the patronage over fifty thousand more educated voters; and so on, until the major part of

the efficient men in the country, are in the pay of the State. Yet this monopolizing policy will be incomplete until the State assumes the ownership of all the land in the country, for the good of the people!

We sometimes meet with a true principle in an unexpected place; as if it had gone astray, and lost itself. The English nation had one as to taxation, which they let slip through their fingers, and lost a long time ago.

In the confusion and obscurity of the Middle Ages, when the church had adroitly become a great power and a great proprietor in England; whenever some national emergency, as a foreign war, called for an unusually large revenue, the parliament, and likewise the convocation of the clergy, were assembled; and both were applied to for funds to meet the emergency. The parliament was induced to grant, sometimes a fifteenth, sometimes a tenth, to be levied on the assessed value of all the chattels, movables, or personal property of every layman. The clergy in convocation, made a similar, often a larger grant, out of their chattels. Each order taxed itself.

Let us suppose the process reversed, and that each order taxed the other; would we not have occasionally seen some wild work, in the process of taxation? Yet each would have been held in check, fearing to excite the animosity of those, who in turn would assess their taxes. But in a State based on manhood suffrage, all property being in the hands of less than one-third of the voters, there is no check on the more than two-thirds of the voters; but rather a premium offered them, to induce them to carry on taxation even to confiscation. They imagine, falsely, that they can lose nothing, but may gain much by that process. A hungry, greedy, multitude cannot reason, and is not long restrained by any scruples.

But the State has no right to burden the energetic and provident members of the community who are climbing to the higher grounds of civilization and prosperity, by compelling them to drag up with them the sluggish and improvident. This the State does, or attempts to do, whenever it taxes one class for the benefit of another.

The most effectual mode of checking and preventing political usurpation and corruption, is to keep down the number of persons who derive their incomes from the proceeds of taxation. And the only way to do that is to prevent the State from assuming any duty that can possibly be performed for society by private persons, or by voluntary combinations of them. This is intensely the interest and duty of those classes which bear the burden of maintaining the State. The truth is, they alone should have any voice in imposing taxes.

It may seem strange after what I have said of universal suffrage, that I should suggest any means of mitigating so radical an evil. Yet I will urge some means which may do much for the protection of rights, otherwise left without any safeguard where manhood suffrage usurps all power.

Without directly interfering with this suffrage where it has been established, we should introduce a representation of property as well as persons; a justifiable mode of modifying the evil. All persons who pay taxes should have a voice in imposing them. This would include many who now have no vote, all women and children, who have taxable property.

But as elections are in themselves corrupting and practical evils (it is well known that of all legal institutions of civil society, the most corrupt and demoralizing are elections), in order to protect women from the

effects of taking an active part in political and electioneering intrigues, and having to elbow their way to the polls; all of which is very unsuitable and distasteful to most women, tending strongly to unsex them—to guard against this demoralization, women having taxed property should vote only by a power of attorney, a short form being prescribed by law, the power to be retained by the managers of elections to guard against frauds. In the case of a child having taxable property his legal guardian should vote for him. Any man, having taxable property, in more than one election district, should have a vote in each of those election districts.

The following classes of persons should have no votes: 1. No one receiving aid or relief for himself or one of his family, from any established charity to which he is not a regular contributor. 2. No soldier, or seaman in the navy. For the officers can induce most of the men to vote at their dictation. 3. No one who has been convicted of a felony or any disgraceful offense, as perjury or taking a bribe. 4. No one having on record against him an unpaid liability either to the State or a private person, even as an insolvent bankrupt.

You would thus get rid of many objectionable voters who do not support the State, but are rather a burden on the community; and gain many responsible tax-paying voters in place of them. It is very important to exclude voters who have proved themselves not trustworthy. The franchise is not a property to be made a profit of. It is a responsibility to be used as a safeguard for yourself and for others.

The welfare of a nation is far safer under the care of those who have something they seek to preserve: acquired and vested rights, than under the control of those who

are scrambling for what they can get. For all the higher purposes of life outside of their habitual occupations, most men are mere creatures of impulse, and will be in spite of State education. There is no training to induce thought, caution, responsibility, on the average man, equal to the possession and care of some property.

The great blunder of these revolutionizing remodellers of the condition of mankind, in their aim to raise the masses to a state of perfectibility; is their utter misconception of the design of that Nature which rules the world we live in. The more we inquire into the history, nature, and condition of this world, and of ourselves, its chief inhabitants, the more evident it becomes that it was not designed for a place or a state of general and durable happiness, or even content. We are discontented, dissatisfied creatures, and will continue so under any social and political conditions. The only step man has ever made toward perfection, has been an occasional approach to the perfection of criminality.

That Greek philosopher, who has perhaps for twenty centuries, exercised most influence over the minds of deep thinkers, expressed most forcibly in a few words when dying, the career natural to man: "I was born crying, I have lived troubled, I die anxious." Our modern philosophers may not know that their careers may be epitomized in these few words. Still less would they share in the credulity implied in these words of Lord Bacon: "I would rather believe in all the fables of the legend, and of the Talmud, and of the Alcoran, than that this universal frame is without a mind." To the untutored eye, gazing on the full moon, it is but a silvery disk. To the scientific eye aided by the telescope, it becomes a sphere. The moon's *librations* showing nar-

row strips of the other side not usually turned to us, which we can never see fully from this earth. So he who speculates on the nature of this life and world, as a whole before his eyes, and not a part only, is sure to go astray. Like the *librations* of the moon, there are indications in this life and world, that we see here one side only. The other, and it is likely, the larger part, is hidden by a curtain which affords us but narrow glimpses of what lies beyond. The chief and true cause of the errors of our would-be political philosophers, I will endeavor to trace in our next section.

LVIII.

Since the days of Lucretius, the brilliant poetical expounder of the material philosophy, there never have been so many worshipers of matter infesting the world, as at this time. Their influence is wide-spread. Almost all the wildest political theorists, to whom we have had occasion to allude, are of this school.

All these philosophers tell us, in tones of more than papal infallibility—for they feel none of the diffidence of Sir Isaac Newton, who, when some one expressed surprise at the extent of his knowledge, and wondered what it was that he did not know, replied, "I am as a child picking up shells upon the shore of that great ocean, Truth"—they assert that the only possible sources of activity and impulse in the world are the mechanical powers, and the chemical agents of physical Nature.

It is astonishing how much these seemingly abstract speculations are influencing, not for good, the moral, social, and political condition of the world we live in.

The vanity and presumption of these material sophists, and their bigoted allegiance to the supremacy and universal reign of matter, is so absolute; that we can only liken them to that fellow, who, the other day, insisted on breaking open the tomb of Shakespeare, and taking out his skull, to see if it was like—his own!

As I have had some experiences, which I cannot account for on their theories; which I have had expounded to me on a late occasion by a zealous disciple and copyist of Tyndall; I still doubt the infallibility of their dogma — that every effect is the result of a material, physical cause—so I will take the liberty to state a case or two; not, of course, with the hope of altering their established convictions; which are built on too solid and material ground to be shaken.

1. A man with a full purse in his pocket, passing through a dark lane at night, is stricken down with a bludgeon, has his skull fractured, and dies of something very like apoplexy. Here is a material, physical cause, producing a material, physical effect.

2. Another man—he called himself a merchant, but was a financial gambler of the most reckless type—had risked more than all his own wealth, and much of other people's, in a bold, hazardous venture abroad—and has become anxious as to the result.

He receives a dispatch from his foreign correspondent. But it is written in French; and he cannot read French. So the letter produces no effect but to aggravate his anxiety and excitement. But when his clerk, better educated as to the French tongue, comes in, and translates it for him, announcing his utter ruin; the stroke, without fracturing his skull, produces much the same effect on his brain, as the bludgeon had on that of the man murdered

and robbed in the lane. How are we to trace a connected chain of material causes producing this material effect.

3. Take a more imposing and complicated case. The Spanish veterans, in the Low Countries, are resting idly on their arms. The best troops in Europe, in the sixteenth century, with a choice of important enterprises before them, do nothing for their sovereign's service. Why this pause?

Their general is awaiting a dispatch from Madrid. It comes at last. On opening it he finds that one drop of ink has traced two words—*Take Breda!*

At once the troops are in motion. The town is invested. The sappers open the trenches. The batteries are raised. The guns are mounted. The cannonade opens on *Breda.* After a long and gallant defense of ten months, the bull-dog tenacity of the Spaniard carries the day. Through the yawning breaches the place is taken by assault, sacked, burned, and the garrison and people put to the sword. *Breda is there no more!*

If in place of the thought of vengeance, which prompted the tracing, with one drop of ink, the two words—*Take Breda*—an emotion of mercy, little known to the breast of Philip the Second, had suggested the change of one word—*Spare Breda*—the physical, material results would have been reversed.

Although not a philosopher of the school of matter, I know something of the application, and of the proportioning of material causes, to produce material effects.

For example. I take a small pistol, charge it with twelve grains of fine gunpowder, and on that a leaden ball of sixty grains weight. On firing the pistol, I send the ball, say, two hundred yards. Wishing to produce a greater material effect, I take an Enfield rifle, charge it

with sixty grains weight of musket powder, and a leaden ball weighing six hundred grains. On firing the rifle, I send the ball, say, one thousand yards. Wishing to produce a still greater material effect; I take an Armstrong gun, charge it with twelve pounds of cannon powder, and an iron or a steel ball weighing one hundred pounds. On firing the cannon, I send the ball, say, five miles.

Growing mischievous in my experiments, and ambitious to produce a great and startling effect; which will be felt far and wide, and be remembered long, I, at great cost and labor, and much risk to myself, drive a gallery, from behind the lines of *St. Roche*, under the neutral ground, to and through the base of the rock of *Gibraltar*, making several chambers along the length of this rocky promontory. I store each chamber with some tons of dynamite, and connect them all, by a wire, with an electric battery, behind the Spanish lines. On firing the dynamite by means of the electric battery, what happens? What has been, for nearly two centuries, one of the boasted strongholds of England, and the eyesore and heart-burn of Spain, crumbles down into a shattered, ruinous, rocky ridge; no longer domineering over, and insulting the Peninsula. England will at last have learned, that, after having secured her hold on *Malta*, it would have been politic economy sixty years ago, to have exchanged *Gibraltar* for *Ceuta*, just across the straits.

Now I will avoid making a blunder, exactly the reverse of those habitually made by the worshipers of matter. I will not mistake the bludgeon, the pistol, the Enfield rifle, the Armstrong gun, the mining gallery, the gunpowder, and the dynamite, for moral and spiritual agencies; for logical and convincing operations of the immaterial mind, which, indeed, in all its activity, may

make use of some matter, *as its slave.* I know that all these instrumental agents I have named, are of the earth, earthy.

I would ask our philosophers to explain this. If the ink and paper which made up the French dispatch, which killed the gambler, so greedy of lucre, had been used in announcing to him the gain of a great fortune; and he, with his heart agitated by hope and fear, had died of the shock of joy (quite a possible result with a man of that stamp)—would the ink and paper have been, in either case, the material, mortal agents?

If Philip the Second, instead of writing, with one drop of ink, *Take Breda*, had used it to write *Spare Breda;* what was the length, breadth, weight, and color, of that material thing, which, used in one way, proved a mortal poison to thousands—used in the other way, would have proved an antidote to all the evils that destroyed them.

The fact is that in both cases, immaterial ideas, and emotions, having no length, breadth, or weight, defying all the tests by which we detect the presence of matter, were doing their wonderful work on matter. In the case of *Breda*, its fate resulted *mediately* from a long and complicated chain of mental operations in the mind of the Spanish general.

He well knew his master, Philip the Second. That his most marked trait was the intensity of his animosities. That of all men, he hated most intensely his rebel subject, William the Silent, Prince of Orange. The general also knew that *Breda* was the chief feudal lordship of the Prince of Orange, and the stronghold he most valued. By the aid of these hints, he knew how to interpret the two words traced by that one drop of ink. It was to his eyes redder than blood. *Take Breda* meant far more

to him, than to another who did not know Philip of Spain as he did. *He* could construe the sentence of death, and was too good a soldier not to obey the order to the full.

Our philosophers may cleave, with devout allegiance, to the mechanical powers and chemical agents of material Nature. We will not undertake the fruitless task of converting them to the true faith: there are instrumentalities around us, freer and more potent than the mechanical powers and the chemical agents of material Nature, not to be handled, measured, weighed, analyzed like them, or bottled up in the laboratory; defying all the tests by which we seek to detect the presence of matter, yet forever spontaneously at work, unseen, in the world, for evil and for good!

THE END.